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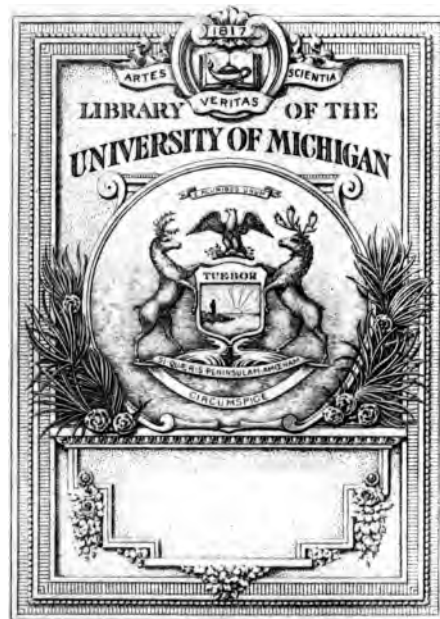
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*The Mob Spirit in America*

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# THE MOB SPIRIT IN AMERICA

Addresses Delivered at Chautauqua, New York

THE MOUNTAIN PREJUDICE

WILLIAM G. FRIEST, President Berea College, Kentucky  
H. M. BRUCE, Superintendent of Schools, Kentucky

THE MOB SPIRIT IN THE SOUTH

JOHN TEMPLE GRAVES, Atlanta, Georgia

MENTAL AND MORAL CONTAGION

DR. J. M. RUDLEY, New York

MOB CONFERENCE

DR. C. C. HARRILL, DR. N. H. BARBOUR, W. G. PROFT,  
DEAN RICHMOND HARRITT, W. A. DUNCAN, JOHN TEMPLE  
GRAVES' Answers to Questions

LYNCHING AND MOBS FROM A NATIONAL STANDPOINT

DR. DEAN RICHMOND HARRITT, Brooklyn

MOB SPIRIT IN ORGANIZED LABOR

D. M. PARRY, President (National) Association  
of Manufacturers and Employers

LABOR UNIONS AND THE MOB SPIRIT

THOMAS I. KUM, Vice-President American Federation of Labor

RELATION OF LAW TO MANIFESTATION OF MOB SPIRIT

CHIEF JUSTICE JAMES B. LOVE of Delaware

THE LAW AND MOB SPIRIT

JUSTICE JOHN WANDERLICK, Supreme Court of New York

With which is reprinted President Roosevelt's letter to  
Governor Taft, in reference to Mob Rule.

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THE  
**MOB SPIRIT**  
IN AMERICA



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## Chautauqua Conference on the Mob Spirit.

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THE platform of Chautauqua Assembly, Chautauqua, N. Y., was opened to a notable discussion of "The Mob Spirit in America," during the week of August 10-15, 1903. Feuds, lynching and mobs were treated from different points of view, without fear or favor, by representatives of all shades of opinion. By providing a free forum for such a discussion Chautauqua Institution sought only to render an educational service to the people on one of the most important questions of the hour. The interest aroused in all parts of the country suggested the reproduction of the addresses and reports of conferences as originally published in THE CHAUTAUQUA DAILY ASSEMBLY HERALD. In this convenient form it is believed that the material constitutes a valuable and timely contribution to the literature of the subject.

William G. Frost, who spoke on "The Mountain Feud," is the well-known President of Berea College, Kentucky, the leading educational institution for the mountaineers. He brought to the conference with him "the best shot in his county," H. M. Brock, superintendent of schools in Leslie county, Kentucky.

John Temple Graves, who spoke on "Mob Spirit in the South," is a native of South Carolina, known as a journalist and popular orator. He is a graduate of the University of Georgia. He has been editor of a number of southern newspapers and for many years a member of the staff of the *Atlanta Journal*. He is the author of "History of Florida of Today," and other books.

Dr. J. M. Buckley, the speaker on "Mental and Moral Contagion," is editor of the *New York Christian Advocate*, and is famous as a public speaker, controversialist and investigator of mental phenomena.

Dr. Dean Richmond Babbitt, who spoke on "Lynching and Mobs From a National Standpoint," is rector of the Church of the Epiphany, Brooklyn, New York.

Dr. Babbitt's uncle, Dr. Gamael Bailey, the noted abolitionist editor of the *National Era*, engaged Mrs. Stowe to write the serial for his paper, entitled "How a Man Becomes a Thing," which later was changed to the familiar "Uncle Tom's Cabin." Dr. Bailey was mobbed in Cincinnati three times and once in Washington, and the office of his Philanthropist was "gutted." Hence, Dr. Babbitt's studies, library, and personal investigation

of mobs and lynchings for years have had the spur of family tradition and interest. He is a Harvard graduate and practised law for three years before entering the ministry.

The Relation of Labor Unions to Mob Spirit was discussed from opposite standpoints by Daniel M. Parry, of Indianapolis, president of The National Association of Manufacturers and Employers, and Thomas I. Kidd, a vice-president of The American Federation of Labor and secretary of The International Woodworkers' Union.

Two addresses upon the general subject of "The Law and Mob Spirit," delivered by Charles B. Lore, Chief Justice of the Supreme Court of Delaware since 1893, and Justice John Woodward, of the Supreme Court of the State of New York, concluded the Chautauqua Conference.

During "Mob Week," as it was popularly called, President Roosevelt's letter to Governor Durbin, of Indiana, on mob rule, was given to the public, and the text of that letter is included in this booklet.

# THE MOUNTAIN FEUD

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Our Duty Towards Lawlessness Is More Than Reprobation—Lawless Element in Kentucky Is in Minority—Ninety-five per cent. of Killings Due to Liquor; Saloon Is Being Out-Lawed—Feud Evil on the Decline—The Cause of the Feud Is Ignorance and Its Cure Is Education.

*By William G. Frost, President of Berea College, and H. M. Brock, Superintendent of Schools, Leslie County, Kentucky.*

My friend, Superintendent Brock, of Leslie county, Kentucky, and myself are here as the representatives of three million people—the people of the Southern mountains. He belongs to them by birth and I by adoption. It is among our people that the greatest number of illiterate Americans are found and among us that the greatest number of homicides occur. It is unfortunate that you seldom hear through the public press anything about us except these things—our killings, our feuds, our moonshine stills and our illiteracy. We have made a long journey to tell you how these evils came about and what we are doing to cure them. It will do us good to have your patriotic friendship, and it will do you good to know that these mountains contain a large number of intelligent, law-abiding, religious, patriotic citizens. We need your neighborly help, but we are not so bad as the newspapers have represented.

Each part of our country has liabilities to special forms of disorder and violation of law, and each part of the country is quite ready to condemn and reprobate the forms of disorder which exist in other parts. But reprobation is not our only duty regarding evil. We must make that reprobation so understanding, discriminating and fair that it will tend to the extinction of the wrong. It is easy to condemn crime at a distance, while we find it less easy to suppress crime near by, as we encounter the circumstances out of which it springs. It is of the utmost importance that this discussion should be taken up in no sectional spirit. The object of our conference is helpfulness. We are to try to understand the various imperfections of our civic life and kindle a patriotism which will be both helpful and practical.

We are not here to condemn the cities of Minneapolis and St. Louis for municipal corruption, the South for lynchings, the mountains for feuds and Chicago for the Haymarket riot. We are not to share in any vulgar prejudice like that which exists between town and country, where town scorns the depravities which occasionally manifest themselves in rural life, and the country holds up its hands in righteous abhorrence of the corruption of the town. The injustice of this town and country prejudice consists in the fact that the townsman condemns all rustics as a class, while the rustic condemns all townspeople in one sweeping category, neither recognizing the fact that

the wrong-doings of town and country alike are confined to a small percentage of the population, while the mass are personally respectable and need only encouragement, or at the most incitement, to civic duties. So of every community in which disorders occur. There is a sense in which every citizen of a county is responsible for a riot or a lynching in that county. Each one has helped or hindered in the public sentiment and general moral tone which made the violation of law possible. Yet it often happens that the most stalwart supporters of righteousness are found in the very region where they are overborne by adverse surroundings.

The grouping of the several forms of law violation, in this Conference, is of itself a great safeguard against a sectional spirit. We are to take up the various forms of law violation and consider each as a disease, its causes, symptoms, contagion and cure.

Of the three forms of law violation on the general program here this summer, namely, mobs, lynchings and feuds, the feud naturally stands first, because it is the oldest form—a survival from primeval man. Mobs were impossible until city life had progressed far, and lynchings are almost a new invention.

Here it may be remarked that the feud is less alarming than the other manifestations of lawlessness in our country. It is seen that the feud belongs to the past and is clearly decadent, while the other forms of lawlessness seem to have sprung up from fresh sparks struck by the very wheels of modern progress.

Yet it is a great question how this relic of barbarism is to be finally suppressed. We cannot leave it to the slow force of time, for we see the young, the brave, the loved, stricken down, and out of their graves arising menace to other lives. We see whole communities shadowed by dread and divided by hatreds and suspicions. The little country town of Hazard has twenty-seven graves of men who were shot in the French-Eversole feud. At Manchester, in Clay county, there are sixty graves of men who have been engaged in various feuds since the Civil War. In countless communities the people are conscious of those sleeping volcanoes, like powder mines ready for an explosion at any unguarded moment. It is high time more vigorous and well directed efforts were on foot to bring this feud spirit to an end.

No cause needs to be given for a feud, except the absence of restraint. In all communities there are inevitable collisions of life which lead to hatred. And we remember Shakespeare's question, "Hates any man the one he would not kill?" Now the restraints which have gradually gathered about the citizen in other parts of our country, in the Empire State, for example, are still weak in the Southern mountains. It is well known that the power of public sentiment and momentum of progress are less in rural communities, and in the mountains everywhere the conditions of rural life are intensified. The old forms of the Basque language survive in the Pyrenees; the Gallic tongue, and a thousand quaint conceptions of the medieval ages, are found in the Highlands, and our Southern mountain region is a similar place of survivals.

This region is remarkable as one of the greatest land-locked areas on the globe. We forget that electric and steam cars are modern. The world has made its great advancement by waterways. Kindly arms of the sea relieve the isolation of Scotland to some extent. Inland lakes and

Roman roads afford means of communication through Switzerland ; but no such alleviating helps to progress exist in Appalachian America. There are great varieties of altitudes and climates and scenery between the southern line of Pennsylvania and the iron hills of Birmingham, but it is all a region of saddle-bags, where all activities must be limited by the endurance of horse-flesh and man-flesh, and all journeys are conditioned on the rise and fall of the mountain streams. These are conditions which we read of in story books, but which we can hardly imagine to ourselves as things to be coped with by fellow-men of our own Republic in this twentieth century of grace.

We have said there need be no cause given for the feud except the lack of restraint, but in the mountains there are all the predisposing causes besides lack of restraint. The law of a man's avenging his own injuries prevails with all the momentum of an established institution. It must be remembered that the mountaineer has never known a better state of things than that in which he lives, and has but dim conceptions of what is going on in the outside world. And the restraints of law and religion are nothing to what we know in other places. The government has never been organized or carried forward in the mountains with that regularity and majesty which could inspire fullest confidence or effectual dread. Some of the officers of the law are incompetent—and more, thoroughly imbued with the feudal ideas ; while the actual difficulties in the way of carrying forward the machinery of government, arresting criminals, securing witnesses and bringing justice to pass in a rude country and among a scattered people, are immense, if not insurmountable. And when one cannot depend upon the government to protect him and his, shall he not buy a gun ? When he has never known a man to be actually hanged for murder, shall he not move undeterred in the avenging of what he believes to be his wrongs ?

So, too, the voice of religion is but feeble. There are some counties in which no preacher of the gospel resides ; there are many counties in which there is no preacher of education. The standard appointment for religious exercises is once a month, intermitted when the streams rise or the preacher loses his way. It is considered necessary that a funeral sermon be preached at some time during the year for every person who has died, so that a third of all the sermons a man hears in the mountains are funeral sermons. Another third are controversial between the warring sects ; the seven kinds of Baptists, three kinds of Methodists, four kinds of Presbyterians, and so on. Not a few of the preachers belong to the age of feudalism also, and find much in the Old Testament which supports their feelings. A feudsmen has been heard praying behind his gun while lying in ambush, and has subsequently been known to relate with all the vigor of an Old Testament patriarch, how the Lord delivered his enemies into his hand.

And to all this must be added the not habitual but frequent appearance of the whisky bottle, so that the tongue is loosed and the fingers made ready for a quarrel. It is the common belief of the judges who hold court in the mountains, that ninety-five per cent. of all the killings are performed under the influence of liquor. The sentiment has been inculcated from babyhood that one should avenge his own injuries, and that it is manly to resent an insult on the spot. Weapons are at hand, and you have all the conditions which inevitably lead to homicide. But those of you who are familiar, by



tradition or otherwise, with the conditions in pioneer communities in this country just previous to the temperance reformation, will recognize the similarity. The late Dr. Gray, editor of the *Interior*, of Chicago, told me that in his boyhood every term of school began with a regular series of fist-fights, until it was well established who could lick the next boy, from the champion "licker" down to the youngest boy. The annals of every pioneer community in America, where the Quaker or the New England element was not dominant, contains the record of numerous feuds and homicides. But none of these communities ever had quite the conditions of isolation and the momentum of universal custom, obliviousness to any outside sentiment, and the absence of restraining forces, which are found in the Southern mountains.

Considering all the circumstances then, in which the people of the Southern mountains are placed, I regard the decadence of the feud and the general prevalence of law and order as something to be admired and wondered at. It is surprising to me that there are not more feuds and more homicides. But I am able to report that the feud evil is on the decline. In the first place everybody in the mountains says the feuds are dying out—and that is a wholesome thing for them to believe and say. It is regarded by the masses of the people as something which must pass away. The feuds are carried on, to be sure, by that portion of the community which is least amenable to public sentiment, least conscious of the general tendency of the times; but the common feeling throughout the mountain region is that feuds are declining.

The first great step towards the stopping of lawless deeds has been taken by the mountain people in prohibiting the sale of whisky. Kentucky has a good local option law, and this law has been adopted in nearly every mountain county. The saloon is not tolerated, and the "blind tiger" is very rare. Moonshine stills, while numerous, are intermittent and under the ban of mountain sentiment—not at all because they violate the United States revenue laws, but because they violate the laws of God and threaten the peace and safety of the community. People expect a "run of whisky" at election time, at Christmas time and on the occasion of any large gathering. Some sorry fellow puts up his still to make a little ready money and to have a good time. He is sure of two classes of customers, the old boys who have settled down to sober life, but who love to break its monotony by an occasional drinking bout, and the younger boys who take hold for the sake of excitement. But the driving out of the open saloon has of itself increased the safety of life one hundred per cent throughout the region; and the outbreak of feuds is everywhere coincident with the outbreak of whisky. It was when the local option law was repealed in Clay county, after years of quiet, that a new reign of terror came on. This temperance movement on the part of the mountain people is one of the most noble and pathetic efforts ever put forth by a great population for the uplift of morality and law.

The feud area is greatly contracted. Many counties which never had less than a dozen homicides in a year have dropped down to two or three half-accidental affairs. The wild men who once galloped through the streets, firing revolvers, ride no more. They have shot one another, been thrown from their horses, frozen to death when drunk at night, and the type is fast becoming extinct.

*The great majority of the mountain people are tired of violence and*

danger. They consider themselves wholly out of sympathy with the feud idea, although their notions regarding the way in which honor must be maintained and the duty of a man to avenge his own injuries, are still quite different from those of a citizen of New York state. The number who do not carry arms nor believe in doing so, is considerable, and is increasing. The mass of people throughout the mountains try to mind their own business, and lie low when a feud strikes their county. They are honestly afraid of furnishing information or testifying to whatever they may have seen, for fear they will be attacked by the more desperate element of one party or the other. They feel a kinsman's sympathy with those of their connections who are likely to be the subject of attack or punishment; but they regret the whole affair, and only need to become more numerous, intelligent and courageous, to bring all feuds to an end. The feud fighter is no longer the representative man of the mountains, but he is the survival, the man who lives at the "head of the hollow" far from the highway, though he may be secretly "backed" and guided by some politician who uses his feudal instincts for his own selfish and ambitious ends.

We must make large allowance for newspaper exaggeration. The word "feud" is a good scare heading and is very often used where the affair was a plain "killing," with little or nothing of the feud element in it. Two boys who were good friends go out together for a lark, become intoxicated, misunderstand each other, and one is shot. That is not a feud, though it may lead to retaliation on the part of the kinsmen of the slain. Some wretch of a laborer—or idler, more properly, who has little to ballast him in this world, drinks and grows disorderly, waves his revolver at the storekeeper, and is shot in self-defense. Where a third of the heads of families are illiterate and very poor, there is certain to be a large proportion of disorders and some cases of legitimate homicide in self-defense.

And some things must be said in fairness to the people who engage in aggressive feuds. They are acting under a mistaken sense of right and duty; they are carried on by the strong family instinct, and in their warfare—which may last through generations—many families have maintained a code of honor which has required large self-restraint. The mountains scarcely know such a crime as murder accompanied with robbery. They do not know such a crime as assassination or insult offered to woman. We cannot claim that murder is not murder where it is a point of honor as much as where it is a point of gain, but the murderer in the former case is a more hopeful man. He who kills for gain is more depraved and unpromising than he who kills for honor, no matter how ridiculous the point of honor may be.

The cure of the feud must lie in that moral process which is called education. When a larger portion of the people of the Southern mountains can read and do read, when they are able to hear preaching once a week instead of once a month—and preaching from an educated ministry, and when they have public schools in charge of teachers who are really apostles of progress, the end of the feud will be near at hand. So I wish to enter a great plea for the educational uplift of Appalachian America. It is often a boy who fights at school who has the most vigor. This mountain population is at least American. It has the liberty-loving independent instincts of the British race, and the capacity which is full of promise. What does America need so much as Americans? And here they are, unjaded of nerve, ready to drink in the

progressive ideas which have made the North and the great Northwest so prosperous. They have deserved well of their country by their service in the maintenance of the Union.

And an increasing number of those who are seeking investment of patriotic funds have come to believe with me in this work for the South and have stood by me in the effort. We are undertaking large things. We have the only trained scholar in the world, so far as my knowledge goes, who is making a study of mountain agriculture. We have sent well equipped ladies through the region to study the conditions of domestic life, and plan improvements. We are encouraging all that is best among the people themselves, developing the best types of log architecture and reviving the fireside industries which show the skill and taste of the people and which give the mountain matron some money for the education of her children and for the adornment of her home.

So we must look out for the total progress, the physical, intellectual and spiritual needs of the people. If they learn to prosper from an educational center like Berea, their prosperity will be dedicated in advance to education. We are eager to enlarge this work. When half a dozen students come from a backwoods county, they must return to be ridiculed for their "high-heeled notions," and may backslide; but if we can get fifty from that region, they will return in time and move the county. So too it is of utmost importance to bring the mountain boy for once outside his own county where he will see young people from other counties and from other states and breathe for a few months at least an atmosphere of the world. We are proposing not merely to prevent the mountain people from being a menace, but to bring the people of Appalachian America over from the ranks of the doubtful classes and range them with those who are to be the patriotic leaders and helpers of the new age. I am not quite fifty years old, and if I can be privileged to see three-score and ten, I shall expect to see this mountain region as peculiar a joy and glory of America as old Scotland is of Great Britain.

H. M. BROCK, SUPERINTENDENT OF EDUCATION OF LESLIE COUNTY, KY.

I know many of you are wanting to see a full-blooded mountaineer of old Kentucky; look right down this way and see one. I am not ashamed of the mountains of Kentucky; I did not plan to be born there, and in fact had nothing to do with it. That it was unfortunate for me that I was born there, I must say.

I am asked by Dr. Frost to give something of my personal experience, perhaps because it is typical. I live fifty-five miles from the nearest available point of railroad. The natural resources of our region are great. We have beds of coal not to be excelled anywhere in America. Some day our mountains will be one of the most interesting and most wealthy parts of the country. We have no pike roads in our region. There are four counties around Leslie county in which there are no pikes, only soft dirt. In our mountains are men and women descended from the Revolutionary fathers. They are ignorant and indifferent to education; because their fathers had no education they think they need none. This is true of both boys and girls, and to this I attribute the fact that in the fifty-two schools of Leslie county there are only three lady teachers. If the education of women had received any encouragement, they would be in a majority.

*My great-grandfather was a soldier in the Revolution. My grandfather*

lost a leg in the second charge at Vicksburg, under General Grant. My father also served honorably in the Union army. My great-grandfather had thirteen children; my grandfather, sixteen, all of whom were raised, and three-fourths of whom now live within twenty miles of where they were born. We moved to West Virginia, and there would have had a chance for schooling, but unfortunately we moved back into Kentucky, where there were no opportunities. At the age of six I had heard of a school, but none of us knew what it was or where there was one. At twelve I had heard more of a school. I wanted to find out what it was; so I started out, walked three miles to a schoolhouse, where I saw a teacher and a few children sitting on log seats. That was my first view of a school; I received no encouragement to attend, and so went home. At nineteen I could not read or write. At twenty I saw something of the outside world, and determined to go to school. So I went to school from twenty to twenty-four, and mortal never worked harder. Then I was nominated and elected superintendent of schools in my county, and now have charge of fifty-two schools, and am in the second year of my administration.

In this work of education, which is so much needed, we have a college which can do much more than anything else. We need more Frosts in Kentucky. We have a leader with courage and ideals; we know he will lead us to victory. We need the co-operation of the North.

Kentucky is not a region of desperate deeds; it is not to be despaired of. Justice Harland of the United States Supreme Court was a Kentucky mountaineer. It was this same region which gave birth to Abraham Lincoln. Better times will come again in Kentucky. Do not let us drift in ignorance. We have boys and girls who could be Abraham Lincolns, who are as brave as any in America. All they need is the training which your boys and girls have. The North will not forget us. The mountaineers stood by the Union in '61. We may be ignorant, but we are patriotic and love the flag.

If a man comes out of Kentucky he is looked upon as a feudist, an outlaw, or a moonshiner. From a lack of enforcement of the federal laws, we have moonshine stills. The federal officers hold by appointment. If, when they discovered a still, they would punch it so full of holes that it could never be used again, their pay would stop. So they just punch a few harmless holes which are easily mended. We are called moonshiners when not one-half per cent of the people are even in sympathy with the illicit stills. The few brand all. If we had rigid enforcement of the federal laws, all this would be gone. I hope that soon we will have in office men who have grit and sand enough to stand before the people and say that they will enforce the law vigorously. Then we will have peace and quiet in Kentucky.

# THE MOB SPIRIT IN THE SOUTH

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Nationalization of the Mob Spirit—The White Race and the Negro Race Thirteen Hundred Years Apart—The Mob Is Here to Stay—Three Remedies Discussed—Separation of the Races Declared the Only Solution of the Negro Problem.

*By Hon. John Temple Graves, of Atlanta, Georgia.*

The time is propitious for the discussion which Chautauqua has planned.

We have fallen upon broad and liberal days. The records of the Spanish-American war have removed from the Northern mind the last lingering suspicion of the loyalty and devotion of the South to the union. The distribution of the negro through the northern states has made a better acquaintance with the merits and capacities of the race. The policy of President Roosevelt toward the negro problem has uncovered a revolution of public sentiment upon the question throughout the republic.

The nationalization of the mob spirit has brought the people together in a spirit of judicial inquiry, and the time has come when, with many illusions dispelled, and, with many prejudices destroyed, we can assemble ourselves together from every section of the country to discuss remedies without passion and to seek and to speak the open truth without bitterness and absolutely without fear.

The mob has broken the barriers of section, and lynching is at last a national crime. The spirit of lawlessness is clearly an evil of the times. The touch of the mob has made the republic kin. For every Newnan there is a Wilmington. For Palmetto in Georgia, Kansas has its Leavenworth. Sam Hose is matched by Alex White. The Evansville riots surpass the riots in Carolina. The mob that shoots in Mississippi is answered by the mob that slays in Danville, Ill. Akron, Ohio, storms a negro's refuge in jail almost within sight of Canton, where sleeps the martyr president—the best beloved man who has occupied the White House since the Father of his Country. Pana and Carterville thrust their murderous Winchesters into the black faces of the workmen who come to delve in the mines of Illinois. A mob in Chicago, ready with rope, chases a negro through the streets. New York, the metropolis and the cosmopolis of our world, has its central section from Thirteenth street to Thirty-fifth, torn by a race riot as fierce and as relentless as ever raged in New Orleans. And even in Springfield, Mass.—right in New England's noble heart—the police battalions battled half the night to rescue from the lynchers a bibulous citizen who with a swipe of a broken beer glass had nipped from its place another New England gentleman's obtrusive nose. The question has come home to the country at last.

Not in this generation have questions once sectional been amplified into a larger national interest, and if Providence, indeed, has sprinkled problems

## *The Mob Spirit in the South.*

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thick upon the bosom of the republic, it has in infinite wisdom broadened the vision and liberalized the mind of the people to solve them.

The spirit of truth is the spirit of the hour. Not truculence, nor temporizing, nor time-serving, nor temper, but fact—cold, clear, resolute, remorseless fact—is what these times and this people now demand.

If the spirit of lynching had its first expression in the South, it is due to causes which may be easily understood. The South is not predisposed to lawlessness or given to violence. Its temper is fair, and it has enriched the republic with the names of great jurists, and the country's statute book with the record of wise and equitable laws.

### THE WOMEN OF THE SOUTH.

I put in evidence here the fact that the Southern people have held women in peculiar and almost romantic esteem. I am free by the record to assert that no people in history have ever compassed with greater tenderness and with more reverential chivalry the females of their race. Next to the divinity of Christ, the gentleman of the old South always worshiped the women of his race. He may not have loved them always wisely, but he always loved them passing well. To this fine old product the sex of his mother carried with her a reverence that made her only a little lower than the angels. Her virtues and graces were set up as the sacred altars of his house. She was not amenable to the judgment and criticism accorded to men. Her faults, if she had any, were all atoned for by the fact of her existence and in the exemption of her sex. Throned on the pedestal of her purity she was the empress of his civilization, and she was ever as an abstraction in his eyes, as beautiful as Venus the mythical goddess, or beautiful as Venus the evening star. To treat her with disrespect was to summon from their scabbards a thousand swords of swift defense. To insult her was a crime punishable by death and to degrade her person was, in the sight of God and man, the unpardonable sin.

The crime which begot lynching was a crime against Southern womanhood—a crime blacker than arson and deadlier than assassination—a crime beside which murder is a misdemeanor and death a holiday—a crime that killed thrice and each a death without a resurrection—a crime that blasted memory while it murdered reputation—a crime unspeakable and unthinkable this side the gates of hell.

Long years after the fiery vengeance of outraged society had visited this crime with its swift and fearful Nemesis, it vented itself upon lesser atrocities. Lawlessness is progressive, and the hands that slew first for woman's murdered honor, found it easier to hang in time for man's life, and for the burning of his home. But the crime of lynching had its origin and genesis in the unspeakable horror and the unspeakable indignation of a chivalric people for a monstrous outrage against the mothers, the wives and the daughters of the race.

Count it at its worst, concede its lawlessness, confess its demoralization, deplore its outrage upon the law—but you, sir—you who condemn lynching most—put yourself in the place of the victim or the victim's kin—stand in the ashes and desolation of an anguish for which there is no balm in time and no healing in religion; look upon the form maimed, battered and forever dishonored, of the thing you hold dearest and purest on earth—and then

with your hand upon the heart of an honest man, answer the challenge of the mob, and say, where would you stand in that day?

Human nature is the same the world over. The same passions rule us, the same sentiments control. And this side the coming of the Prince of Peace there will never dawn a millennium in which the reign of reason will supersede the riot of liberty when society is outraged in the dearest and holiest citadel of the human family.

The symposium of this Chautauqua season is upon the mob spirit in America. The phase of it assigned to me is "Lynching" and national as is the crime, I shall speak of it today from the standpoint of the South.

Lynching is a crime. No sane man will deny that proposition. It is anarchy. It is riot. It is a blow to the Constitution. It is a stab at the law. It is deplorable. It is awful. It is appalling.

But it is here. It is here to stay. Place here as the premise and postulate of your reasoning that lynching will never hereafter be discontinued in this republic until the crime which provokes it is destroyed. This is a fact, not a theory. It is not as it ought to be, but it is as it is, and as it surely will be.

Upon any other crime men may be brought to reason. Upon any other provocation men may be induced to suffer the delays, the tricks and the uncertainties of the law. But the people from whom cometh all law have written in their hearts and wills an unpublished statute that the man who ruthlessly despoils the life and honor of a woman must be tried and punished by the last wild law which men reserve for their sternest passions and their deadliest wrongs. No clamor can change, no discussion can affect, no public opinion can overturn, no statute can destroy this fixed, firm and ineradicable determination. The cause must be removed before the effect is destroyed.

#### THE PROBLEM OF THE HOUR.

We might as well state the question fairly. The problem of the hour is not how to prevent lynching in the South, but the larger question, How shall we destroy the crime which always has and always will provoke the lynching? When we reach this statement of the question, we have made some progress. Not before.

This is the single question which I shall discuss today.

The mob answers the question with the rope, the bullet and sometimes, God save us! with the torch. The mob is practical about this matter. While the sentimentalists pass resolutions on lynch law, the mob acts on rape. Let the sentimentalists learn a lesson here from the mob. Let them orate less on lynchings and act more earnestly and practically for the suppression of rape. Let the missionary spirit talk less and act more.

And let it not be thought or said that the mob's theory does not effect its purpose in a large degree. It is the narrowest of reasoning to declare that assaults upon women continue in despite of lynching, and that, therefore, lynching does not effect its end. That argument is blind and fatuous folly. Followed to its conclusion it would abolish capital punishment and close the jails, for criminals multiply in spite of them. The mob knows its business and the mob does its work. And the mob is today the sternest, the strongest and the most effective restraint that the age holds for the control of the monstrous crime which it avenges.

The lyncher does not exterminate the rapist, but he holds him mightily in check. It is folly to protest this truth. Without the mob there would be a hundred assaults where there is one. Without the mob the South today would not be a place to live in. Thousands of vicious negroes who have made up their minds that they are willing to die if they can have their way once with a white woman are not restrained by the calm processes of the courts, but they halt in terror before the blazing anger and the fiery vengeance of the mob.

Criminal? Yes. Lawless? Yes. Ought to be abolished? If possible, yes. But as a sheer cold patent fact, the mob stands today as the highest, strongest and most potential bulwark between the women of the South and such a carnival of crime as would infuriate the world and precipitate the annihilation of the negro race.

It is not a pleasant thing to say. It is not a popular thing to say. But it is the only true thing to say.

And it is said.

#### THE NEGRO NOT AFRAID OF DEATH.

The masses of the negro are not afraid of death. They dare it nightly in their orgies and gambling dens. They have little sensibility. They have few ideals. They have no especial dread of the "something after death." The Undiscovered Country has few terrors for their untrained minds. They are not afraid of pain. They look too often upon the razor's edge and the pistol's muzzle in their nightly quarrels and they do not suffer the tremors of a higher civilization. If it comes in a regular way death is not a monster to appal a race to whom life is not oversweet and ties not overstrong.

And with all their minds they love display. The spectacular is an atonement for almost any sacrifice to the point of pain. The publicity of the courts, the formalities of trial, the importance of the prisoner, the eyes of the audience upon him, the long procession to the gallows, in which the condemned riding even upon his coffin is the chiefest among ten thousand and the one altogether conspicuous—all these things have lost their terror for an unthinking but impressionable race.

The law and its legitimate penalties with this race and with this people are absolutely insufficient to terrorize the criminal or to intimidate the crime. As the conditions exist today the mob is the bulwark of society. With its members, with its frowning face, with its menacing tone, and with its blazing eye it is—paradox of civilization—the moral monster which terrifies and restrains an inferior race where statutes are tame and courts are laughed to scorn.

The mob stands and will stand until there is some force strong enough to take its place.

And what can we find to take its place? Conceding as we must concede that society will not tolerate or temporize over the outrage upon its gentler sex, and granting that its instrument of reprisal is lawless and objectionable, where shall we find a satisfactory agent to do its work, or failing in that, how shall we reform the mob?

Shall we accomplish the end by hastening trials and expediting and despatching the decisions of the courts of law? Is it practicable and possible to press officials to any greater limit of promptness and decision that would be compatible with justice? Is it possible to establish at the bar an ethics



that would lash with a hundred whips of scorn the attorney who, for the poor bribe of money or repute, would shield these criminals with technicalities or loose them by trickery upon the state? Is it possible to do this, and if it be possible, would the mob wait upon even these less deliberate proceedings of the law?

Would the repeal of the amendments and the establishment of the negro's inferiority in law and society reduce the mass to humility and lessen the crime? There are reasons beyond this for the repeal of the amendments, but in this case it may be said the negro mass knows little of the amendments and cares less. He is a thing of the senses, and with this race and with all similar races the desire of the senses must be restrained by the terror of the senses, if possible, under the law.

I state here a proposition which is vital. It requires and admits of no debate. The negro is an inferior race. Of all the nations of the earth the African has registered the smallest development and recorded the fewest achievements. It has made no history and developed no civilization. What this people have done they have done only under their two centuries of contact with the white man, from whom they have learned very little and after whom they have patterned very much. The negro is the weakest and the Anglo-Saxon the strongest race on earth. With the all-conquering Saxon given a thousand years the start, the recordless African is placed side by side with him, upon equal terms of law, and, in the unspeakable and unexplainable folly of a statesmanship of emergency and compromise, these two races wide as the poles in merit and development, are expected to share upon equal terms the privileges and the vast responsibilities of the greatest and freest government under the sun. It is difficult to conceive how any passion of partisanship or any expediency of statesmanship could have forecasted any peace or any profit from an experiment so incongruous and so hopeless of assimilation.

Out of this proposition grows a corollary pertinent to the issue of the hour. We cannot govern these two opposite unequally developed races under the same customs or by the same laws. We have been making the fatal mistake of applying twentieth century laws to a twentieth century race, and, in equal consideration, the same laws to a race scarcely civilized. The negro belongs by development to a period not later than the seventh century, and yet we are trying here to solve his problems and to rule his passions by the benign laws of a period thirteen hundred years in advance of his civilization. England today is living under laws milder and less exacting than the statutes which governed her people two hundred years ago. America is living under laws less rigorous and exacting than those of the Revolution. As civilization advances and as intelligence and refinement spread men require less law and less restraint. This is history as well as philosophy, and yet in face of both history and philosophy we are trying here to govern the seventh century and the twentieth century (1,300 years apart) under the same codes and customs, and have the impudence to be surprised when the results are incomplete.

Primarily, therefore, when we begin to legislate for this inferior race for its virtues and for its crimes—we must be wise enough to recognize thirteen centuries that separate it from us, frankly bold enough to try different laws when necessary for the government of the lower race.

is bold, but it is wise. It may be revolutionary, but it is the common sense of the situation. And statesmanship in its last analysis is common sense. Practical statesmanship recognizes no ghosts and is appalled by no traditions. It goes to the point and does the thing that is necessary without fear and without apology.

The shibboleth of Equality before the Law must yield if necessary to the higher creed of Safety under the Law. If it be necessary to make different laws for different races, why should we fear or hesitate to do it?

If it be deemed advisable to apply the curfew law to the negro, let us try that remedy. If it be thought that the reestablishment of the patrol system would regulate the lawless negro, let us stretch the Constitution, if necessary, to restrain his freedom of movement, and to make him give an account of his presence and intentions at any particular hour or in any particular place.

But by all means let us put the crime of rape outside of all other codes, and treat it as a crime separate and peculiar to itself.

#### ONE REMEDY SUGGESTED.

I state two propositions: I am not necessarily committed to either. This is a time for discussion and counsel, and scarcely as yet for dogmatic assertion. It is my duty to present to you every remedy which may occur to me to fit the crime. It is your right to agitate and discuss it.

The present penalty for rape, final as it is, appears to be inadequate through its deliberation, to suppress the crime of crimes which is the cause of lynching. I have argued that the negro does not fear legal death, and that he is not restrained by the ceremonial processes of the courts. Is there any other penalty which can be derived in or out of the present Constitution, which will startle and intimidate the passions which it seeks to restrain?

It is necessary to speak plainly now.

The negro is awed by changes and intimidated only by startling penalties. He is nervous over things unusual, and the instrument of his passions is the dearest possession of his life. I offer here the opinion, extra-legal, and extra-judicial, and perhaps, extra-human, from a philosophic study of the negro's characteristics, that no influence of suppression so mighty and so effective could be brought to bear upon the criminal classes of the race as a statute legally enacted and widely disseminated, making the amputation of the organs of lust the invariable penalty for conviction of the crime of rape.

If the punishment is severe, think of the crime it avenges—a punishment beyond custom, for a crime without a parallel. That would be the one thing worse than death. It would add a new and startling terror to the gallows, and would appeal to an instinct of fear hitherto untouched in the criminal element of the race. Whenever the mob in its madness has adopted this terrible method of reprisal the record without a break shows that the terrible lesson has towered above every other in its restraining influences upon the vile passions of that class. It is a remedy that would perform the double purpose of intimidating crime and satisfying vengeance and making impossible a repetition of the crime. I offer as evidence that in the two counties of Georgia where lawless mobs have written this law upon even lawless vengeance that no subsequent rape has ever occurred to defy the fearful memory which it evoked. I do not advocate the remedy, but there are those who think

that the courts, without mutilation or barbarity, might adopt the lesson learned from the record of the mob, and enthrone the law in this new and startling terror for the suppression of this blackest and foulest of all human crimes.

**ANOTHER REMEDY SUGGESTED.**

I present another proposition purely for discussion. Men who see things as they are, realize that the mob is here, and here to stay until it finds a substitute for its swift and effective work. Then why not clothe the mob with authority? Why not make lynching legal by enactment? Let us suppose that the crime of rape is put outside of all other law. Let us suppose that the posse which pursues and apprehends the rapist shall have power there and then to elect from their own ranks a judge, empanel a jury, select an attorney for prosecution and defense, and try the criminal on the spot. Every mob on earth goes through at least the rude and primeval justice of identification. The mob is going to act anyhow.

Why not reform the mob by authority?

Why not sober the mob with responsibility?

Why not provide the mob a means of doing instantly and legally what they will otherwise do in defiance of law?

Why not save society the shock of lawlessness by legal concession to its outraged indignation?

Why not take the sting and stigma out of anarchy with a statute?

It is possible to safeguard the concession strongly. If the posse court acts in frenzy and on insufficient evidence let its action be a felony and the subject of prosecution in times of subsequent calm.

Do you approve the remedies? Does your judgment commend the first suggestion? Perhaps not. Will the wisdom of this assembly approve the second suggestion? Perhaps not. What then? I have no more expedients to offer. Have you in your wisdom found a remedy? Will it fit the case and cure the evil? I wait to hear it with anxiety and respect. I am frank to say I do not expect it with confidence and hope

**THE ONLY REMEDY.**

There is no real remedy but one. To the problem of the races and to the problem of this hour, which is its misshapen swan, there is but one solution, there is but a single remedy. We are wasting time in theories as idle as they are unequal to the peril of the hour which is at last but a symptom of the peril of the times. We are temporizing with a giant danger upon hasty and childish expedients. We are salving a broken limb with vaseline. We are healing a cancer with catnip tea.

This, my countrymen, is a case for surgery—surgery heroic but beneficent—the knife that severs the limb but saves the life. For no statute will permanently solve this problem. No anodyne of law, no counter-irritant of legislation will quiet it longer than the hour of its application. The evil is in the blood of races, the disease is in the bones and marrow and the skin of antagonistic peoples.

Religion does not solve the problem, for the Christ spirit will not be all pervasive until the millennial dawn.

Education complicates the problem. The negro has the most criminal record of any race on earth—by the census, worse in proportion in the North, where he is in a minority, than in the South, where he outnumbers the white

race. By the census, worse in the South since his education than before. For by the census of 1900 the negro—twelve per cent. of the population—furnishes thirty per cent. of the crime, including fifty per cent. of the assaults in the whole country, and this after thirty years of freedom, when \$120,000,000 have been spent upon his education, and his illiteracy has decreased forty-two per cent. Every year of enlightenment increases the negro's apprehension of his position, of his merit and attainment, and of the inconsistency between his real and his constitutional status in the republic. Education brings perception, and ambition follows with aggressive bitterness against the iron walls of a prejudice that has never yielded, and will never yield. The conflict is irrepressible and inevitable.

SEPARATION OF THE RACES THE ONE SOLUTION.

And the truth which lies beyond and above all these temporizing expedients and suggestions is the great central truth which I have been preaching for years—that separation is the logical, the inevitable, the only solution of this great problem of the races.

Daniel Webster said so, Thomas Jefferson said so, James Madison, and Edward Everett, and Henry Clay believed and said it. Abraham Lincoln thought so and moved toward the experiment. Henry Grady said so. Theodore Roosevelt is, at least by inference, in favor of it. Bishop Turner, the ablest teacher of his race, is the advocate of separation. Blyden and Council and Taylor and the ablest thinkers of the race believe it, and I have reason to think that Booker Washington, conducting the ablest, the most ambitious, the most popular, and also the most hopeless experiment of the age, knows in his own heart that when the last arrow of his noble effort has been shot it must come to this at last.

These two opposite and inherently antagonistic races cannot grow up side by side on equal terms of law and possession in the same territory. There is not a line of history that justifies the hope or the faith that they may. Every faint hope that tranquility breeds or philanthropists foster or politicians encourage has time and again been withered in a hundred recurring crises like this, and if people were not blind or stupid or asleep they would realize the fact written in history, ethnology and science that opposite races are inherently and universally antagonistic, and cannot share, and never have shared in peace and equality since the world began, any country or any government created by God or fashioned by man.

We have come in God's providence to the parting of the ways.

In the name of history and of humanity ; in the interest of both races, and in the fear of God, I call for a division.

We can make it peacefully now. We may be forced to accomplish it in blood hereafter.

The time is propitious and the country is ripe for separation.

There is not a hope in fact or reason for the negro as a citizen and as a man outside of separation.

There is no peace, no purity, no tranquil development, no durable agricultural prosperity, and no moral growth for the white race outside of separation.

And when the wisdom, the courage, and the candor of the country shall reach this great and just conclusion, God and the statesmanship of an unconquerable race will find the honorable and peaceful way.

# MENTAL AND MORAL CONTAGION

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Psychological Basis of Mental, Moral and Criminal Epidemics—Punish Both White and Black for Crime.

*By Dr. J. M. Buckley, Editor New York Christian Advocate.*

This title has a scientific sound, yet everything has to take on this form when you carefully inquire into its nature, form and influence and ask the two exhaustive questions, how and why.

The first thing I have to do is to describe a man in a healthful waking state. That is the foundation of everything in connection with psychology. A man's waking state is a state in which all his mental faculties are alert, his senses respond to external impressions, and the machinery in the brain does its own work spontaneously. If he is attempting to think, he is employing his faculties and concentrating them. If everything is in the normal condition, we say the man is absolutely awake. There is a great difference between waking up from a sound sleep and being awake, but we have no difficulty in distinguishing between these conditions when we know the person. Natural sleep in its perfect condition is in all probability dreamless. There is a difference between coma and sleep. Natural sleep is a condition of things that enables a man to wake up when he does wake up.

We have to take up variations from the waking state that do not result from disease or drugs. There may be a state of abstraction, voluntary or involuntary. A man may be made involuntarily abstracted by a sudden bit of intelligence. Voluntary abstraction is the highest power of the human intellect. In abstraction all faculties are at work. Reverie is not abstraction. Reverie is a peculiar operation of the mind when one has just enough perception to see what is running through his mind, but cannot tell it if he is suddenly stopped.

We come to the situation of being possessed entirely by one emotion. Many people on the slightest provocation become so excited they cannot speak. Others will get so excited they cannot but speak without regard for grammar or theology. The man who does not speak is perhaps the one who feels for his revolver.

Then we come to poetic fervor and oratorical fervor. There is a difference between talking for utility and oratorical fervor. We have to consider personal influence. Dorothy Dix was the greatest woman who ever lived in this country, because of what she accomplished by the personal power of speech in America, England, France and Germany, for the insane, despite the opposition of the legislatures. Gen. Sheridan, Madame de Stael, Daniel Webster, had their personal influence. All of these are at the basis of mental and moral contagion.

How about the operation of these peculiarities? The best teacher is

### *Mental and Moral Contagion.*

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the one who can teach his pupils how to think, how to concentrate ; a civil service examination is not an ultimate test of a teacher's capacity. The Bible is the greatest book in the world on human nature. I defy any one to bring me any phase of human nature that I cannot produce a scripture phrase about.

In Deuteronomy XX:8, you will find practical use made of this principle, when all the fearful and faint-hearted were sent home from the army, lest they should influence the others.

In commerce, speculation is brought to such a climax by the regular process I have described. How is a city boom gotten up? By giving the impression that it is a tremendous town and everybody is going there. Look at the government. The Know-nothing movement, the Anti-freemason movement, the Greenback movement are all examples of mental and moral contagion. Take the French Revolution. That was the best begun thing in the world. It became the worst thing because such powerful influences were brought to bear upon the people, by the same ideas of liberty, equality, fraternity, that they lost their self-control.

Our Civil War was brought to pass by extravagance of language. Had there been solid men in the ascendancy on both sides, that whole difficulty might have been compromised. The real glory of Lincoln was not alone in statesmanship, but that he was tall enough mentally to see both sides, and had self-possession enough to stand quietly and view the situation until he knew what to do.

Look at the strikes. The lynch problem is bad enough but it is small compared with the labor situation, for that goes all over the land. The strikes began well but extravagance has carried them to the point of anarchy. The idea with many is that the only thing to do is to keep up a terrible row until something is done, and then the President will dignify the whole thing by superintending the settlement.

The same principle of contagion is true in science. The blue glass epidemic overspread the country a few years ago.

We come to religion. You take these clique churches. When one is started in a community the other denominations will try to get up another of the same sort.

The real explanation of all these epidemics of every kind is this : They are superinduced on the ordinary faculties of mankind by the intensification of ordinary influences. This intensification may be brought about (1) when acts performed before us appeal to the appetite which we would gratify by performing them. (2) Sentiments will do the same. You hear a sentiment expressed which gives you an impulse immediately to carry it out. (3) The imitation of things for which we have a natural aptitude requires little or no force.

Consider this subject of crime. I sympathize greatly with all the speaker of this morning (John Temple Graves) said regarding the women of the South. I know Southern men have always had that chivalry. Further, the Southerners, for the most part, are descended from the Cavaliers, the Northerners from the Puritans. When an Englishman's wife is dying, he shows much feeling. When a Scotchman's wife is dying, she may have to ask him if she has not been a pretty good wife. Go to Ireland

and you will find the Englishmen all put to shame. From the Englishman you will hear eloquence of the most remarkable character, for any woman may mention in the town. The Southerners have always been full of a high and lofty sentiment when they speak of women. On the other hand, the Northerners, with fewer words, think just as much of their women, as them. It is a question of hospitality. The Southern hostess could in short time sit in the parlor and entertain you, and presently an elaborate dinner ready. In New Hampshire, the hostess would have to excuse herself to get the dinner.

The passion of the lynchers is a parallel to the passions of comparatively fewer people who have committed this crime. That is the awful thing about lynching. I believe almost any sort of despotism is better than government by lunatics—and that is just the situation.

Look at the reaction. You say lynching saves women. I hope it does, but it does not appear to. It is true that nineteen-twentieths of the people do not know what is going on, but if they did, it probably would make a very great difference about the lynching.

With regard to the negro race itself: It must have been in the beginning, what Paul said at Athens, "God hath made of one blood all the people that are on the earth." Prove the negro a beast if you can, and I will change my brain arguments. But you cannot. Consider further: there never was a low-down race that made such tremendous progress in forty years as the negro people, giving them due credit for all that came before. They had the credit of civilization. Did the negro come on his own account, or stay on his own account?

The Methodist church has 250,000 Southern negroes. Some of them were what in the South would be called "low-down niggers." They have improved steadily. We meet with some of them when they come to our General Conference. We are astonished at their constant improvements. We give them credit for the tremendous progress they have made, and give them a chance.

I believe in capital punishment. Further, I want to see punishment applied to the white for his crimes, as well as to the black, and not to the black alone. Expatriation will not work. Where will you take them? Who will pay the bills? Who will take them without their own consent? What is the remedy? The South has taken the ballot from the black man, they have the power in their own hands. The South was never so prosperous as within the last few years. Now if you Anglo-Saxons, with the long period of development you have had, cannot keep order, and suppress mobs and put an end to this crime by law, then I say, God save you. These men were set free by God and the amended Constitution. I say to you: In the name of God, grapple with this problem, and never say lynching has come to stay until the crime is put out by other means. But punish the criminals, and punish the lynchers.

## MOB CONFERENCE

and the Negro Problem Discussed—Questions and Answers  
pre. Mr. Graves—Mr. Graves Advocates Creation of a Negro State  
impr. Mobile Lands of the West.

mov. C. C. Haskell, Dr. N. H. Barbour, President W. G. Frost,  
conta. Richmond Babbitt, Dr. W. A. Duncan, and Others.

in the were of the week, devoted to the discussion of the mob spirit in  
fratern. as given over to consideration of lynching, its causes, the  
O. allied phases. The afternoon conference on this question was  
there. most interesting sessions of the week.  
difficult. George E. Vincent, who presided over the conference, announced  
along. gentlemen recognized as experts on the mob question had come  
sides. ce to attend the discussions of mob week, and that ten minutes  
until. and be permitted them for addresses on the question.

REV. DR. C. C. HASKELL, OF CORRY, PA.

cor. When I went to the frontier many years ago I prayed to be delivered  
stri. from them, but many times since I have prayed for their presence. The  
Th. we consider today is: Are mobs ever justifiable? I answer, yes;  
un. by the following reasons:

1. The people have a right to good government.
2. Punishment is essential to good government.
3. The people personally have a natural right to punish.
4. The fact that the people choose a man (sheriff) and courts to punish  
for them does not estop the people from punishing personally, any more than  
the fact that the people choose a man (wolf-killer) to kill the wolves for  
them, as is often done on the frontier, estops those people from killing  
wolves personally. All murderers or rapists should be outlawed, just as  
pirates are, and man has the right to kill them on sight.
5. The mobs that I have met with were more constitutional than the  
courts, because they establish more justice, and justice, not law, was the  
end and aim of the Constitution, according to the preamble thereof.
6. A good citizen is one who establishes justice; he may or may not  
obey the law. Says President Roosevelt: "Honesty is the first requisite of  
good citizenship."
7. A good citizen has an inalienable right to self-protection; he is the  
sole judge as to his danger, and has a right to kill a murderer or a rapist, if  
such killing is essential to his safety; and a court has no more right to  
jeopardize him by freeing murderers or rapists than it has to jeopardize him  
by freeing a menagerie. Instead of punishing the mob for killing the  
murderer, why not punish the court for freeing him?



8. When, say two-thirds of the tax-payers of a community think that their lives are endangered (and they are to be the judges) by ruffians, they have the right to suspend any law, state or federal, so far as is necessary to make themselves safe, provided they do not thereby endanger good citizens, and no government can take that right from them.

9. Mobs should seldom be resorted to.

This is not the first time that the mob question has been discussed in Chautauqua County. On February 6, 1836, a mob stormed and burned the office of the Holland Land Company at Mayville; carried away all the papers, deeds and documents in that office and made a huge bonfire therewith. The agent was maltreated somewhat severely. I do not say whether that mob was right or wrong, but it was composed of honest, honorable, peaceable, God fearing men, who thought their rights were endangered and that the courts did not afford adequate or immediate justice. Therefore they acted, and acted vigorously—lawlessly? Perhaps. It was at that time that William H. Seward came forward as a great pacifier. He took possession of the office and acted as the company's agent in this county, doing all that he could to conciliate the people. He gave them substantial justice. When it was proposed to punish the mob, he said "No! Try justice first." That's what I say today with reference to the mob: Try justice first!

While we of the North are trying hard to make a good negro safe, is it not also worth while to do something to make the good white man and the virtuous white woman also safe? Shall we expend all our sympathy on the vicious black, and cry out against anything which protects the wives and mothers and daughters who gladden our homes? A man has a right to protect himself, his family and his home, from violence, and he is to be the judge of their safety. We should never censure the mob or the individual if they do substantial justice.

In behalf of the orderly mob I claim:

1. That it affords the best protection with less expense than the ordinary legal procedure.

2. Mobs as a rule punish none but the guilty. The courts hang two innocent men to the mob one.

3. Money, influence, social position, weigh not at all with the mob. We know that these influences count with our courts, all too often.

DR. N. H. BARBOUR, OF ROCHESTER, N. Y.

All I have read in the papers of my city of late has been, "Shoot the mob! Crush and exterminate it at the cost of life!" This was unthinking and indefensible, born out of an entire failure to grasp the situation which calls a mob into existence.

I came down from Rochester filled with thunder on this question. I find that Mr. Graves has taken my thunder all away. I agree with him perfectly on every point put forward in that masterly address this morning. He suggested as a possible remedy for the mob evil, to legalize the mob and give it legal power and responsibility. The mob has already been legalized by God Almighty. If you do not believe that, go back to the God-given Mosaic code. By this code the people in every case executed a sentence calling for death. Read Leviticus, chapter XX, "And the Lord spake unto Moses saying, he shall surely be put to death; the people of the land shall stone him with stones." "Take him from the camp and stone him." There's

your mob law, given directly by God Almighty. Jesus recognized mob law. "Let him who is without sin cast the first stone." Here was the vital principle ; only a slight restriction on the original Mosaic code. Paul was the ring-leader of a mob. You do not believe that? He even held the clothes of a mob while they stoned Stephen to death. He was acting merely according to the Jewish law, which entrusted to the people as a whole the execution of the death sentence.

The reason why this principle appeals strongly to me is that public sentiment in a community is right ten times where a twelve-man jury, influenced by criminal lawyers—rightly so called—seeking to line their own pockets, and if necessary, to defeat the ends of justice to do that, is uncertain and perverted. You know many cases where smooth, unscrupulous lawyers have been able to defeat justice and set free the guilty.

About ten years ago I tried to get before Congress a way in which to divide the black and the white population of our country without much friction. New Mexico was then a territory. I said that the government should take this territory, let the white population remain if it desired to, but make it a state for the blacks. Let them vote in this state ; choose their officers and make their laws, subject of course to the Constitution of the United States. If the negro remains in other states and votes there, let him necessarily vote for those whom the white men have nominated. If the white man remains in this state and votes, let him be permitted to vote only for the candidates whom the blacks have nominated. In this way we will get at the whole problem and get rid of any trouble about the equality of the races. They are not equal ; never can be ; and there is no use going on trying to make them equal before the law or anywhere else.

#### QUESTIONS AND ANSWERS BY JOHN TEMPLE GRAVES.

The remainder of the conference consisted of questions and answers by John Temple Graves :

QUESTION—This morning you argued for separation of the races. Do you think it would be possible to divide the races by an imaginary line, such as a state boundary, or would it be necessary to have some physical barrier intervening ?

ANSWER—Bishop Turner, whom, as I said this morning, I regard as the ablest man of his race, is an advocate of the repatriation of Africa, sending back to their native land the negroes who have had the advantages of the lessons learned in more than two hundred years of contact with the Anglo-Saxons in the freest and best government ever devised. I also said this morning that I had reason to believe that President Roosevelt has given to this idea of expatriation at least contemplative approval. My reason for that statement is that he has recently sent Thomas Forman, editor of the *New York Freedman*, to the Philippines to see if the archipelago would be suited for the removal and habitation of the American negro. Many of the advocates of separation of the races propose expatriation. For my own part, moved by a spirit of the utmost consideration and regard for this race, I believe that we could secure a better and more helpful condition for this important experiment—not on foreign soil, not in remote climes, but on our own soil, under our own flag and the benediction of this government, we could work out this problem under satisfactory conditions, the most

satisfactory and favorable that ever attended any great experiment of similar character. I have the authority of the United States Department of the Interior that we have in the West great contiguous areas of arable land, or land which could be made ready for cultivation by irrigation. Here on one of the richest of earth's domains, we could set aside a state for the negro, as has been proposed this afternoon, and try this great experiment first at home, before resorting to the extreme measure of expatriation. The black man could be enfranchised here and disenfranchised everywhere else. This would solve the problem. Any negro politically ambitious would be carried there by the political instinct. There under our flag, on our soil, with a suitable garrison provided as long as might be necessary for the maintenance of order, with the benign influence of our institutions an ever-present example for this new commonwealth, there is reason to believe that the experiment would succeed. Surely here are better conditions than have ever attended any other experiment.

QUESTION—Suppose the negro would not go to this new state?

ANSWER—That is a natural question and an important one, too. Even though many negroes did not remove to the new state, I still think that the measure would cut the problem to the core and set the continent at peace. There would be no hardship in the provision. I cannot vote in New York ; you cannot vote in Georgia. The negro could vote in the proposed state ; he could not vote elsewhere ; he could live anywhere he pleased, but would be a citizen of this new state.

QUESTION—What about the great property interests held by negroes as individuals and as associations?

ANSWER—Here is another important and practical problem. I think it is the great question of arbitration, and we would find the same principles of justice and equity employed which enable the courts to work out the valuation of private property under other circumstances. Of course no white man would be compelled to remain in the new state, and if he desired to leave would be paid a fair value for his property. In the same way, if any individual negro desired to move into the new state, he would not forfeit his property but would be compensated therefor as justly and fully as any tribunal could determine. In the second place, the exodus to the new state would not be wholesale and immediate. Many negroes with large property interests or strong love for the dominant race—and these embrace the best of the race—would go slowly, or might not leave at all. Thus we would have the best negroes, those against whom objection is not made, still with us and in our midst, at least for a time. On the other hand, if they desired to leave, the government of the United States is the richest under the sun—too rich by far to hesitate to make an experiment which involves the peace, unity, Christianity, civilization of the continent.

QUESTION—Would the people of the South vote for separation?

ANSWER—Why not?

QUESTION—I have heard many people in the South express their opinion against it.

ANSWER—Many people in the South are more opposed to this plan of *separation*, although on the most casual consideration, than those of any other part of the country. This is a striking and extraordinary answer to your question, but true. The reason for it is that many people of the South

think that negro labor is absolutely indispensable to our industrial and commercial development which is now proceeding so nicely. That is not true. I have the authority of Mr. Wilcox, of the United States Department of the Interior, the Census Department and the Department of Agriculture, that the crops of the South are not raised in the great majority of cases with the assistance of negro labor. Their place has been taken by Hungarians, Italians and other elements furnished by immigration. I have no hesitation in saying that were this question of separation proposed as an issue, and somewhat discussed, the people of the South would come around and vote for it almost unanimously.

QUESTION—If your plan was adopted, would not the good negroes move to this new state and found their homes there, while the vicious floating element remained?

ANSWER—I have already answered this question to some extent. I say that what you suggest would not be altogether so. The ambitious, the troublesome, the restless—these are the ones who care for the ballot—would go where they could vote. The best negroes, those owning property, those who love the dominant race, would go slowly or not at all. After all, I think, as the best Indian is a dead Indian, so the best negroes are the old slaves. These would never leave the white homes where they are loved, in order to go into a far state to pursue the will-of-the-wisp of useless citizenship.

QUESTION—I do not believe that many of the negroes put any value on the ballot; how would your plan work if this is so?

ANSWER—You have answered your question completely; need I say a word? If the negro does not care for the ballot, and if he cannot exercise it except in a single state, you have cut the core from the problem. Take away the ballot, and the Gordian knot is cut. In some states the negro is being successfully disfranchised, with or without the shadow of law. I think that the problem in all its phases can be solved only by separation and disfranchisement in all but one state.

PRESIDENT FROST: Is there ever a chance for a negro accused of a crime, brought before a white court and white jury, to go unpunished if he is really guilty?

MR. GRAVES: I have known many cases where the negro has secured the favorable verdict of a white jury in a Southern court. As to what you imply by this question, that lynching is unnecessary because of the impossibility of the acquittal of a negro against whom is fair proof of guilt, we can only speak from experience. There are hundreds of Southern men, many of them in this audience, who will bear testimony that this danger of acquittal is always serious, and that often it does occur, even in the cases of the crime of crimes. I can answer the question only on such specific instances as I have noted, on the basis of my personal experience. My experience says yes; that there is in this danger of acquittal of brutal negroes. That has been done in many cases. The question, however, which we have to consider in these conferences and discussions, is that the mob will not wait for the long, slow processes of the law, days, weeks, months, years. Mark you, I have not and do not say that the mob is right or desirable. We are discussing what is, conditions as they are.

(Dr. W. A. Duncan then told of an experience in Albany county, Georgia, near the Georgia Chautauqua, where a rapist was tried, convicted,

executed, within twenty-four hours from the commission of his crime. Is not that better than disorderly and lawless execution? If we plant Chautauquas through the South, we might hope for the same result every time.)

MR. GRAVES: I am glad some one is here to testify that in Georgia we sometimes do things in the right way.

DR. DUNCAN: I think that down in Georgia you almost always do things in the right way.

MR. GRAVES: This leads me to say that it is one thing to philanthropize and theorize and preach one thousand miles away from the conditions you discuss; it is another thing to be on the ground, and stand face to face, fact to fact, with conditions that appal. When a broad-minded citizen of the North goes down to the South, in six months he is converted to every theory we entertain, and this is not by compulsion but by the irresistible force of circumstances. He invariably out-Herods Herod.

DR. DEAN RICHMOND BABBITT: Does the desire for economy to save the expense of a long trial, enter as a factor into the cause of lynching?

In the mobs of the South, is not there a very distinct homicidal tendency, the desire for excitement, the breaking of the monotony, the primitive savage lust for blood?

With all due respect for the gifted speaker of the day, I do not believe that the broad-minded sympathetic men and women of the South share his approval of the lynching spirit and method.

MR. GRAVES: As to your first question, I say no! no! Economy, never! From first to last, the cause of lynching is the unspeakable, unconquerable indignation of a chivalric people against the foulest outrage known to bestial lust. We of the South have never been given to penuriousness or to economy. We have not been accustomed to measure a woman's honor by any fraction of a hundred dollar bill.

As to his second question, I must say that the gentleman is extremely mistaken in his premises. These mobs are not disorderly, not morbid, not vicious, not made up of the lower classes of our people. I have known of mobs in which there were college professors, college presidents, lawyers, postmasters, federal officers, prominent educators, clergymen, representing the very highest sentiment of the highest people in our land. Deploring the mob and lynching as I said, we are confronted by the fact that it is the only thing that stands between Southern womanhood and the foulest crimes which black lust can suggest.

QUESTION—Why are not white men lynched for rape?

ANSWER—They are, absolutely. Lynching is punishment for rape, not merely by the blacks, but also by the whites.

A GENTLEMAN IN THE AUDIENCE: In Mobile we have had only one lynching in fifty years, and that was of a white man.

QUESTION—In your scheme of colonization, how would you compel the negro to remove? Is your only objection to the negro that he has political rights? Is this the "core of the problem?"

ANSWER—I appeal that I have answered the first question. As to the second, I say that the chief difficulty separating the country today is the negro ballot. This has been and is the chief cause of the misunderstanding between the North and the South. Take away this difficulty, cut the Gordian

knot, and in a truly national spirit we can settle these problems in a better spirit and a broader light.

QUESTION—As the negro becomes better educated, does he become meaner? Is the educated negro guilty of these outrages? Are the negro children educated by the South?

ANSWER—I answer you from the figures given by the census. Up to the Civil War there had been only one reported case of rape. Between 1870 and 1880, crime among the negroes increased thirty per cent. and illiteracy decreased ten per cent. It has been so ever since. Increase in crime has gone hand in hand with decrease in illiteracy and increase in education. As to negro education, since the Civil War \$110,000,000 have been spent in the South for negro education, and of this \$89,000,000 has come from the impoverished pockets of our people. In Georgia the negroes, who pay two per cent. of the taxes, receive forty-eight per cent. of the school money. Our people have endured this a long while; they are very tired of it; I do not know how much longer they will stand it; but the prospect is that we shall have to go on unless conditions change.

PRESIDENT FROST: I do not think you have answered just the question we are trying to get at. We who have been giving time and money to educate the negro—are we wrong or right?

MR. GRAVES: In the first place, let me say that I pull off my hat to the splendid spirit of philanthropy which prompts you men of the North to put your hands down in your pockets for what you believe to be the good of this unfortunate black race in the South. If you wish to attack any one for questioning the efficiency of negro education, take a man of your size and attack the census. There are the facts. Some of them I quoted this morning and others this afternoon. You draw your own conclusions; you decide whether you are doing any good. You decide for yourselves whether the educated negro is a valuable member of society, whether education has improved him.

QUESTION—If a white man committed rape on a black woman, would you advocate lynching him?

ANSWER—This is not a question where race or sectional distinctions apply at all. The punishment should apply as rigorously for white as for black. It always should be so. If the victim was a black woman, I for myself, should return the same answer as though she was one of our finest white matrons.

PRESIDENT FROST: Three-fourths of the negroes are still uneducated. Are these the rapists and the criminals, or are the educated negroes guilty?

MR. GRAVES: The census shows that only forty-three per cent. of the negroes are illiterate, and forty-six per cent. of the negro criminals are illiterate. This question I prefer to answer not from my lips, prejudices and convictions, but from the census. You draw your own conclusions.

QUESTION—On the basis of your personal experience, is it the educated or the uneducated negro who is guilty of these outrages?

ANSWER—Usually the uneducated, but not exclusively; often otherwise. Just recently in one of our Southern towns, a negro lawyer, the most prominent in his county, committed the crime of crimes, and was chased by the same mob which had pursued other and ignorant negroes.

REPLY TO DR. BUCKLEY.

Mr. Graves, in closing, replied to some of the statements made by Dr.

J. M. Buckley who, in his afternoon address, had taken to task Mr. Graves for his speech of the morning :

There is no man in the world whom I had rather meet on this question, man to man, face to face, fact to fact. In his address this afternoon he intimated that I had said we of the South reverence and respect women more than do the North. I did not say so. I believe that the men of the North respect women quite as much as we do in the South ; had I ever doubted it I should have found proof in the fact that during the last fifteen months the North has been treating outrages against women by the only way. He also said that I had reflected on the hospitality of the North. Be that far from me ; too often have I been splendidly entertained in the homes of the North. Why, right over there in the audience is a genial, delightful, gray-haired man, at whose home I have received as fine entertainment, as hospitable greeting, as anywhere in the South or in the world—Maj. J. P. Mericle, of Jamestown.

Dr. Buckley this afternoon very dramatically quoted from St. Paul : "God has made of one blood all of the nations of the earth," and there he stopped! Why didn't he finish? "God has made of one blood all the nations of the earth, and has determined the metes and bounds of their habitation." There is just what we have been contending for! Why an able man should split the Scriptures to splice a point is more than I can understand. God never intended that alien and antagonistic races should live in the same country.

DR. BUCKLEY'S REPLY.

In Dr. Buckley's annual "Question Box," the following reply to Mr. Graves appeared :

QUESTION—When talking on the race problem the other day you quoted, "God hath made of one blood all nations." Did you intentionally omit the last of the verse?

ANSWER—Yes. The very interesting person who says that lynching is wrong, but practically declares that he intends to keep it up, affirmed that the colored people are an inferior race, and I replied that the negro is either a beast or a man, and quoted this declaration to prove that he is a man. The statement was complete upon that point. From it I drew the conclusion that the negro is entitled to be dealt with as a man. The rest of the passage declares that God had fixed the bounds of their habitation. My critic affirmed that if the negroes had been left in Africa there would have been no trouble, but the Bible plainly shows that whatever man may do, God controls the migration of nations. He determined the boundaries of the Israelites, their migration, first to the land of Egypt, and then after a long period to the land of Canaan. The present inhabitants of Georgia are very far away from the place where their remote ancestors emigrated. There are eighty-six passages in the Bible that declare or imply that all nations come into existence in the providence of God. On the surface we see nothing but human energy, ambition, greed and covetousness. There are now ten million negroes in this country. If their ancestors had not been brought over here, their descendants would have been among the most grovelling heathen in the world. There are many negroes who have become Christians because of that migration. "God and the amended Constitution" said Mr. Graves, made those people free. God and the slave trader. "Surely the wrath of man shall praise thee, and the remainder of wrath shalt thou restrain."

# LYNCHINGS AND MOBS FROM A NATIONAL STANDPOINT

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Kinds of Reverence for American Womanhood—Denial that Mr. Graves Represents the Best South—Investigation of the Wilmington Horror—Officials Severely Arraigned—The Medicine for the Mob

*By Dr. Dean Richmond Babbitt, Rector of the Church of the Epiphany, Brooklyn, N. Y.*

I deem it a high honor to be invited to speak before so many Southerners, as well as Northerners, this morning. In what I shall say I wish it understood that I am a friend to the South. Among Southerners I have traveled, lived and edited a newspaper, and among them I count some of my most valued friends. I shall use the same plainness, directness and frankness used yesterday from this platform.

The particular subject to which I ask your attention in considering the great and pressing one of the "Mob Spirit in America" is "Lynchings and Mobs from a National Standpoint." With apt phrase and glowing rhetoric the Hon. John Temple Graves yesterday at this hour gave his views of the mob as it related especially to one class of the mob's victims, the negro.

Is it true, as Mr. Graves stated, that lynching has come to stay in the South? Is it true as he would have you believe, that "the mob is the bulwark of society?" Is it true that the lynchings even in the South are caused by the crime against the pure and lofty womanhood of the South, and not, also, by the crime of murder, of horse-stealing, or of insults to white men, and by many minor, almost petty offenses? I yield to no man, South or North, East or West, in reverence for American womanhood. American men do not have to live south of Mason and Dixon's line to hold in highest esteem and to reverence with undeviating loyalty and devotion the sex to which belong their mothers, their wives, their sisters, their sweet-hearts. That devotion, that loyalty may not effervesce into the sentiments expressed always with the choice and poetical elegances of rhetoric for which our delightful Southern orators have ever been noted. The Northern man may not sing ballads to the Northern woman's eyebrow. But nevertheless there is in his loyalty, if not so much expression, yet as much of moral fiber, of a conscience that fires to constancy, of convictions as to woman's loftiness and purity, which makes the Northern man the peer of any man as woman's admirer, adorer and protector. Adapting the lines of Oliver Wendell Holmes, and making them refer to these differences as to Southern and Northern laudation of womanhood and with special reference to the orator of yesterday we may say :



" See the warm speaker of the plastic South,  
How all his passions play about his mouth ;  
With us the feature that transmits the soul,  
A frozen, passive, palsied, breathing hole."

TRUE AND FALSE CHIVALRY.

There is a true and there is a false chivalry with regard to womanhood. Woman was once, in the days of historic chivalry, when joust and tournament were the order of the day, the toy and the plaything of man, or she was banished to the nunnery and made to climb the cloistral stairs toward heaven, as her only vocation. Her choice was to hang from a two-story casement and listen by moonlight to the strains of a guitar, and poetic ditties on her liquid eyes, or betake herself to the veil and the nun's hood and everlasting penance. She led a sheltered life, not such as now, when, North and South, she is out in the jostle of the world, often meeting man and man's circumstances, face to face, girdled with the dangers to her sex, using liberty, "that precious thing," as Montesquieu calls it, with the perils incident to liberty. This is peculiarly so in the North. It is largely so in the South. Woman is not less, but more a woman for this, having less poetry but more freedom, having less protection of circumstances but more use of circumstances. Now while today on the part of all worthy men whether North or South, and as much in the North as in the South, woman is respected, honored and revered, the very circumstances of this work-a-day world, with woman's enlarged opportunities, and freedom of coming and going, the factory life, the store life, the life of teacher and pupil, the engagement in thousands of occupations unknown to former days, all this exposes her, as never before, to dangers known from primeval times as those of her sex. This, with the added population, black and white, to our country, the blacks having increased from January 1, 1863, the time of going into effect of the Emancipation Proclamation, from four millions to nearly ten millions ; the whites, from every country in the world, from ten to eighty millions, including a proportion of passionate and unworthy men of both races, will account, to a degree, for the crime against womanhood.

But it is not a fact that the negro race, as a race, is going backward, as the speaker of yesterday argued. It is not a fact that the crime of rape belongs distinctively to this black race. It is not a fact that the black criminal as well as the white criminal, who is guilty of the awful crime of rape, (and I would not diminish the public estimate of the awfulness of that crime by one hairbreadth) cannot be controlled by American law and American courts without a mutilation which notes a return to barbarism, or a forcible exile of the negro race from America, in behalf of a white feudalism which fell in this America of ours, thank God, with the fall of black slavery. Nor, I may be permitted to say, still with a courtesy which, especially here in the North, tolerates the utmost freedom of expression of any orator from the South, however objectionable his sentiments may be to the Northern conscience and the Northern sense of justice, do I believe that it is an act of chivalry, even to womanhood, outraged in its fairest jewel, to cry in her name, hate, persecution and lynching, death by murder. I say murder, for so it is

MURDER IN THE EYES OF THE LAW

of the United States, murder, in the eye of all good morals—to cry murder, or to add in her name torture to murder, and think by so doing woman is put higher on her queenly throne of lofty, noble and virtuous womanhood. Woman's virtue does not have to be supported in America by murder, her honor need not be secured by torture. Her good name does not call to its protection efforts of mobs to roast human flesh in its behalf. Woman's purity does not demand the thumb or toe of a burned negro to be carried as a souvenir and reminder of its stainlessness. Where is the woman who asks this? Tell me of the tender woman that croons over the cradle or sings lullabys, and wishes to glut a morbid desire by seeing a negro roast by a slow fire at a stake. Show me the woman, who for protection of womanhood, longs to feast her eyes on the negro rapist hung to a telegraph pole, and riddled with bullets.

“O woman in our hours of ease,  
Uncertain, coy, and hard to please ;  
But when sad anguish wrings the brow,  
A ministering angel thou.”

And yet it is implied that this ministering angel, the white woman who nursed the dying soldier on Northern and Southern battlefields, who took his last words from his dying cot in the hospital to mother, father, sister, brother ; the white woman, too, who has gone to the ignorant and illiterate black belt of the South, for which neither she nor her section were responsible, there to establish schools for the negro ; the white woman who has been the negro's missionary in this and other lands, not to carry the gospel of hate and murder of race prejudice, but the glad tidings of a Savior of love, and the white woman of the North, mind you, as well as of the South, for a chivalry based on murderous lynching is supposed to have developed a new reverence for woman in the North, the white woman is to be the cause of riotous mobs bent on racial extinction ; woman's purity is to be the banner under which lynchers march, and by an appeal to and for womanhood the new “bulwark of American society,” the mob is to be established ! O woman, in thy pure, lofty and honored name, how many crimes are masked ; how many shameful deeds are done, and yet without thy consent or thy approval !

But there is another kind of American womanhood for whose honor I eagerly listened yesterday for some word or suggestion, the black womanhood of the South. I did not learn from our courteous Southern orator's address of any lynchings on her behalf or of suggestions for her protection. We learn that four million mulattoes of the ten million negroes, people this country. Whence came they? Who tanned the black man and woman yellow? Whence the crime against black womanhood? Have there been any lynchings in the South for black womanhood, who is also mother, daughter and sweetheart, though all under a black skin? Have there been any lynchings for the black woman outraged? Yes. I believe there have been many, but indirectly, for the black man, maddened bestial as he was in his awful crime of rape on white womanhood, has felt rather than argued, that he was excused for his dreadful deed by the white man's assault on the women of his race, and he has taken the risk of lynching, condoned his

unpardonable deed, and gone to the stake or the hanging with the feeling that anyhow a reprisal has been made. One way to diminish lynchings of the low blacks for rape in the South, is to protect black womanhood from outrage by low whites in the South.

REPRESENTING THE SOUTH.

And so I must venture to decline to accept Mr. Graves as representing the New South of advancing education, of industrial development, of growing prosperity and respect for human rights. But I prefer to take Judge Jones, of Alabama, a Southern man, once the governor of his state, now a United States judge in his state, as a true representative of the best South when he punishes Southerners, guilty of assaults on the black man's rights, stamps out peonage, the new slavery, by the strong arm of the judiciary of a government that knows no North or South, or black or white, when weighing human rights by the scales, purifies his state from stain of injustice, the South from dishonor and stands as the embodiment of that true chivalry which ever protects the weak and helpless.

I venture further to say that Mr. Graves does not represent the sober, enlightened human South, when he argues for the expatriation of the negro race from a country in which they have been as long as the white man. In point of native occupancy of this land, if the Indian is not the true American, he is at least the aboriginal American, and if the white man be the American, if occupancy, tilling the soil, length of industry in this land, has aught to do with American rights, American citizenship, American nationality, then the negro has an equal right to exist here with the white man, and to be protected by the laws of America. Two ships long ago came to this land with colonists, one the *Mayflower*, in 1620, bearing our Pilgrim forefathers, of whom Thomas Rogers, the eighteenth to sign the Mayflower "compact," I may name as my own ancestor, giving me at least the shadow of a right to speak for the Puritan conscience and for the Puritan religion, which helped so much human liberty in this land. The other ship came a year earlier in 1619, and held in her hold a number of black slaves, captured, imprisoned, kidnapped, borne away from their native land to this country, whose descendants have ever blessed or cursed the South—as they have been treated as human beings or as chattels and things. They were brought here against their will, they were imbruted, they were denied the opportunities which the most sordid and illiterate of other lands enjoyed. Nearly three centuries of wrongs rise now, and will continue to rise, to plague, harass, curse, humiliate, disgrace the American people till God's right and God's justice, by American white men, shall clothe the negro with the privilege to exist, work, learn, advance, to have fair play, to enter open doors of opportunity, and to be what God intended all men to be, men wrought in the image of himself. The intelligent, educated, industrial South needs the black man; the black man needs the South; he will not be driven from his own land, and the white race will continue to be increasingly his friend, his tutor, guide, and the uplifter of his sable countenance. The white man for a comparatively few rapists out of ten millions of negroes will not expatriate the negro.

PREVALENCE OF THE MOB SPIRIT.

*And now turn to the more general aspects of this great subject of lynchings and mobs. We all know how widely the mob spirit prevails in*

America today. While a number of lynchings follow strictly the color line, and, in the strong, yet accurate language of Professor James of Harvard, "a negro needs but to be accused to make him the sport of the mob as long as the fun will last," yet lynching started in the South on the color line for rape, has leaped that color line and has gone beyond the offense of rape to include murder as its chief excuse, then from that heinous crime, shading down to minor offenses, and even to petty faults and ill-based suspicions, lynchings of whites and blacks have been made frequent. But lynchings and mobs have been so numerous, so various, so different in origin and object, that we must seek, in addition to mental and moral contagion, other originating causes, as desire of excitement, the wish to break the monotony of idle and lawless lives—and that homicidal impulse that so strongly lies down deep even in hearts and lives on which civilization and religion have piled layer on layer of custom, ethics, advanced conception of human rights and the beautiful humanities of modern days.

It has been my privilege to collect somewhat widely information on this subject of mobs and lynchings, and to study at short range certain acts of lynchers. I may say that my first stimulus toward interest in the subject was occasioned by an own uncle of mine, my mother's brother, having passed through four mobs for the negro.

#### THE WILMINGTON CASE.

I went to Wilmington, Del., and, with my usual luck of being too late for the mob's actual and most efficient frenzy, I was able only to gather the facts of its vindictiveness, bloodthirstiness and malignancy of June 21 and 22, its aftermath of negro baiting, the shameless supineness and inertia of the public authorities and the thousands of excuses for the lynching of the murderer and rapist, White.

Now, in what I shall say I wish it distinctly understood that I speak directly to the facts and impressions I gained on the spot after careful inquiry, wide comparison and the exercise of whatever judicial faculty I may have. I went carefully over every step of the lynchers at the workhouse, examined the five strong steel gates they broke through, interrogated one of the workhouse officials who witnessed what was done, later went to the spot in the field where the negro committed his heinous crime and was roasted for hours. I gave my time for a day and a night to gathering the facts and sifting them. Within a few minutes of my arrival I was interviewing the police. Later I had two interviews with Chief of Police Black. I conversed with actual witnesses of the burning and dismembering of the negro and the use of parts of his body as ghastly souvenirs. I had a long talk with a judge. I visited the negro quarters of the city Thursday night, June 24, when the mob still terrified the city, and ascertained their anxiety, their fright, their sleepless vigil. I conversed with members of the State militia in their armory and got facts from the negroes about town. So that what I state is based on actual facts secured on the very field of the mob's maddened action.

Now, what are the facts, unbiased impressions and careful inferences? These:

First—The mob and lynching could have been easily prevented by the authorities, who, by their remissness, now have the blood of the slain on

their consciences. That lynching mob was gathering for several days. Its rumors were widely known and published by the local press. It was even foiled in preliminary appearances. The very sources of the mob from Marshalltown and Wilmington were known to the country and police authorities, yet the latter failed to act. Why? Because they were more or less in sympathy with it or feared the public.

Second—When the mob, with battering-ram, mauls and chisels, was before the workhouse, there were, with police, guards and others, fifty men inside armed to the teeth, capable of withstanding, with devotion to duty and civic principle, a much larger force than the lynchers. The leaders of the mob were comparatively few, the hangers-on many. The Chief of Police, with a police captain met the mob outside, parleyed with it weakly, threatened to shoot, feebly retreated, was rushed by the mob, and got just inside the big steel gate. Then a program of mock fusillade, actually published beforehand by a local paper, was gone through as accurately as a manual of arms, viz., shooting above the heads of the mob. Even this caused all but about one hundred of the mob to scamper for trees and walls. After the mob's cutting and driving the bolts of the first steel gate, in the small corridor back of it fifty men could have controlled any mob that could get into it. It was the Pass of Thermopylæ, so to say, reduced to stone and mortar. Every last man of the mob, only a few hundreds, inside, could have been controlled by those fifty armed men and gradually introduced to the empty cages of the convicts and locked up, where they ought to have been put. Why were they not? Because those entrusted with life and property failed in nerve, lost their heads, and many of them deliberately mingled with the riotous lynchers.

How do they excuse themselves? These excuses are also a type of excuses from weak, invertebrate, cowardly public officials. What are they? Well, Chief Black told me he was doubtful of his legal right to shoot, as it was outside the city limits. But he and his men had been called by the county authorities, and if he had no legal rights there, why were he and his men there? We know that Wellington, the great English commander, shook in his knees, morally brave as he was, when going into battle. It was only his sense of duty, he said, that carried him through. If weak knees had only been supplemented by a sense of duty, Wilmington and Delaware today would not be in the black, ugly list of lynching communities. But another reason frequently given for not shooting at the riotous lynchers was that the negro's life was not worth the blood of the white men. But a principle and the honor of a city, a state, a nation, are not to be measured by such standards. That question was settled when Chief Black, his men, Warden Meserve and the Sheriff took their oaths of office. Their one duty was to uphold the law, irrespective of the color of men's skins. Here is a fatal weakness in our public authorities all over this land, the weakness in the authorities begetting weakness in the people, and leading to all kinds of mobs, viz., men given a trust and sworn to execute it, by fear, self-interest or dislike of temporary unpopularity, deliberately violate their oaths and betray the public interest. Chief Black, Warden Meserve and the Sheriff should be impeached on at least two counts—first, cowardice, and second, neglect of duty.

Third—As to the nature of that mob. It has been said that it was made

up of "representative respectable citizens." It was not. I asked an official at the workhouse if in the mob that entered his building he saw a single man that looked like a gentleman. He said he did not. I asked if the leader seemed to be a gentleman. He said he did not, but had a vicious look. Furthermore, he said there were several ex-convicts in the mob, who had been in that very workhouse. "Representative respectable citizens" do not make up mobs, or break into prisons, or burn negroes, and use their victims' toes and hands as souvenirs. The authorities, the police and the rioters themselves are trying to make jail-breakers and murderers wear the clothes, speak the words and use the manners of "representative respectable citizens." If that crowd was Wilmington's "representative respectable citizens," the state and city ought immediately to enlarge their jails and penitentiaries to care for a most novel and interesting type of Delaware citizenship.

Fourth—And now as to the genesis and the development of that lynching mob. The "lynching parson" is a new type among us of the clergy, and a type to be discouraged. I regret very much that I listened yesterday to words of a minister at this Conference on mobs, which seemingly pointed to support of mobs and lynchings. Is the baneful example of Wilmington's lynching parson thus extending on the lines of mental and moral contagion indicated yesterday by the Rev. Dr. Buckley? The Wilmington lynchers themselves were uniquely ferocious, and in their monstrous violence and in their ghoulish enjoyment of burning human flesh and snatching anatomical souvenirs could give pointers to our Southern friends of similar proclivities. But I believe it has been reserved for Delaware to develop a "clerical lyncher," who, with twenty-five hundred people before him in an open lot on the Lord's Day, in the course of his pulpit ministrations with widely sensational methods, lends the sanction of the Gospel to murder. For let us call things by their real names. Every one caught, tried and convicted of lynching is a murderer in the eyes of the law and good morals. Every one not caught, tried or convicted, who lynches, is a murderer, and the sooner we punish murderers the better. If this be true, what can be said in excuse of a clergyman who deliberately uses his pulpit to incite mobbing, lynching and murder?

Fifth—And what shall be said of the temper, disposition and attitude of the authorities and of the public since the lynching? This also is a type of certain lynching and mobbing communities—what may be said of Wilmington? This: A cowardly fear on the part of the authorities, tacit co-operation with the rioters, a criminal silence on the part of the better class of the people and an aggressive blatancy on the part of the mob, rank savage Wilmington with savage Kisheneff. The coroner's jury which took the five pounds left from the burning of the two-hundred-pound body of the miserable murderer and rapist, went through a farce when they returned a verdict that White came to his death by burning by persons unknown. The persons were known, and are now known. The release of Arthur Corwell, the only one arrested, on virtual demand of the mob; his reception on release with ovation, and subsequent farcical trial, and second release with second ovation; the fear to make more arrests just now; the thousand excuses for the lynchers, by all classes of citizens—all this shows a community corrupted in civic ideals and void of civic and moral virility. The arm of the law is paralyzed,

and justice is dragged from her throne and her scales are upset. Wilmington may redeem herself yet. Though it is getting late for her to do so as nearly two months have passed since her murderous lynching. Delaware may yet save her honor, by apprehending and punishing the leaders. But it is unlikely. The cry of her press, her police, her pulpit, her public men, is, "Let us forget!" She may try to forget her murders, but the country will not forget them, business will not forget them, her children will not forget them. She can only forget her murderous lynchers by punishing them, by upholding law, preventing anarchy, and taking thus, as much as possible, the stain off her own honor and that of America. Will she do it? America will watch the result.

Sixth—What are the facts as to the attitude, temper, general character and disposition of the negro population of Wilmington? That population is about 8,000 out of a total population of about 80,000. In the past the negroes of Wilmington have been, on the whole, peaceful, law-abiding, patient, industrious and well-behaved. There has been not a shadow of a reason for aggressions upon them by the white race. Yet when the fiendish murderer and ravisher White was murdered by the lynchers with a deliberate and diabolical cruelty, they even then made no demonstration against the whites and many expressed approval. But when a negro baiting mob dragged inoffensive colored men from the street-cars, beat and kicked negro street passengers, insulted negro women, and drove all black men to cover, the spirit of retaliation was awakened. Some of the rougher negroes, to the number of several hundred, armed themselves and insolently and noisily paraded the streets and gave themselves over to violence. The sowing of the wind made the reaping thus, as it does always, of the whirlwind.

Seventh—Again, as to the effectiveness of lynch methods in deterring criminals. The Southerners and murderous Northern rioters make a mistake. In my judgment lynch law, which can be defended on no grounds of morals or good citizenship, can likewise be defended on no grounds of prevention of crime, even the heinous crime against womanhood. The fiendish cruelty of the lynchers of White has only glorified the latter into a martyr in the minds of those of his race of similar criminal tendencies; has awakened lightly slumbering passions of the white and black races to vengeance and riot; weakened the administration of law, only too feeble now, throughout the land; broadened the chasm between the races; lowered American prestige in the eyes of the world; brought added prejudice against the heavily handicapped negro race; disgraced a state and stigmatized Wilmington with an endless shame. The deepest instinct in the hearts of the lynchers was not reverence of womanhood, but lust for blood—primal, savage, bestial thirst for blood.

#### CONTRAST WITH DELAWARE.

In contrast with this unseemly apathy of state and city authorities in Delaware, involving, as it does, the good name of the Governor, the Mayor, the police and the state and municipal courts, as well as of distinguished citizens, stands the example of the authorities in Indiana and Illinois, whose mobbish murderers doubtless incited by the malign example of Delaware, had marshalled against them, by their law loving and vertebrate Governors, the militia of the state. The vigorous Governor Yates of Illinois—Richard Yates (preserve his name, all lovers of order)—describes with apt and

accurate definition the rioters of Belleville and Danville as "nothing but anarchists," commending highly the troops for doing their duty. Governor Durbin of Indiana has also illustrated, not only high character and devotion to duty, but also "good politics," if the Delaware officials would only see it, by standing for stability and order, and meeting murderous rioters with the only effective medicine for a mob, viz., well aimed bullets.

We are in the midst of a great and growing danger of the mob. It will soon leave the black man to fall upon the white man. No man, no public institution is safe in the presence of this new form of American anarchy and contagious madness. No one should condone it or excuse it. No public official should for a moment temporize with it. We all, whether in public or private station, and to the last extent of our ability, have but one duty as to the mob, viz., to destroy it, and but one duty as to the rioter and lyncher, viz., to quickly and vigorously punish him.

No man dare uphold the mob by word or sign. The words spoken by Mr. Graves yesterday are known today in California and Florida. They have the power of suggestion which makes lynchings and mobs, and already Southern and Northern people here have felt they would increase those lynchings that are a disgrace to both sections. Every man and woman must show responsibility for the spoken or written word on this great subject, and each of us has a duty in putting down mob, eradicating its spirit, protecting black and white alike and in punishing riotous lynchers as murderers.

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## MOB SPIRIT IN ORGANIZED LABOR

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**Organized Labor Exists for Unlawful Purposes—Labor Unions Led by the Mob Spirit—Breeding Pen for Anarchists—The Tyranny of Organized Labor—No Room for Sentimental Conciliation and Arbitration Business.**

*By D. M. Parry, of Indianapolis, President National Association of Manufacturers and Employers.*

I am well aware that many people seem to think that organized labor can do no wrong. Those holding that opinion do not all belong to the unions either. They absorb the sentimental destructive rot that is handed out to them by the labor leaders and the yellow press, and they appear to feel a sense of personal injury if some one offers even a criticism on unionism. But while this class of people is still a respectable element, numerically speaking, yet it has rapidly decreased in strength in the last year. Events have followed so thick and fast in recent months in respect to the labor question that I believe a majority of the people are now ready to declare that they have had enough of organized labor. There has really been a great campaign waged in this last twelve months, and in this campaign justice, common sense and Americanism have contended with mawkish sentiment, ignorance and socialism. It is not the most popular thing in the



world to demolish idols, but the work of demolishing the idol of organized labor has progressed steadily from day to day. There still remains much to be done in order to lay it in the dust, but so far as the sacredness of trades-unionism goes, I think it at least has had its day.

Therefore I do not feel the same trepidation that I might have felt a year ago in voicing my views on organized labor. At any rate I am going to make the assertion before this intelligent audience that there is a

DECIDED RELATIONSHIP BETWEEN MOBOCRACY AND TRADE-UNIONISM.

There may be a few of you to whom such a statement will sound harsh. I know that Chautauqua is the favorite refuge in summer for many of those who belong to the noble profession of teaching, and for all that I know there may be some here who come from the public schools of Chicago, where as I understand it, the teachers belong to the American Federation of Labor. To charge the teachers of Chicago with being imbued with the mob spirit—well that would be harsh most certainly. But then all I can say to the teachers of Chicago is, that they should not be caught in bad company, and I wish to say the same thing to that vast army of honest, law-abiding American workmen who have been made the dupes of designing agitators or who have been coerced into the union ranks under penalty of losing their chance to earn bread and butter for their families. As for the school teachers of this country I wish also to say that to their credit be it stated that in only one city that I know of have they joined hands with the un-American institution of organized labor. The spectacle of having public schools run by walking delegates would be sufficient to cause Washington and Jefferson to turn over in their graves.

Before I go any further I wish to say something which I always religiously reiterate every time I come before the public, and that is this: no man, I take it, can conscientiously object to any kind of organization, labor or otherwise, which is formed for lawful and beneficent purposes. But I deny that organized labor exists for such purposes. I deny that it is a movement for the uplifting of the working classes to higher planes of living, and I deny that it represents any principle except that of mob rule. It could be made a great force for the betterment of its members but it would require a revolution in its ideas and methods. So long as it stands by its present program it must and will meet with determined opposition, and all my remarks are addressed to organized labor as we know it from its acts and from the words of its leaders.

DEFINITION OF MOB SPIRIT.

I wish now to give a definition of what is meant by "mob spirit." Mob spirit to my mind is in essence a hatred or contempt for government law and a desire of the vicious and ignorant to impress their will upon others by the exercise of physical force. It harks back to the primeval stage of human development.

Is organized labor actuated by a contempt for government restraint and a desire to impress its will upon the country by physical force? In other words, is it led by the mob spirit and is it practically a mobocracy? I think that these questions are all to be answered in the affirmative. Taking superficial evidence as proof I have only to point to the hundreds of strikes that have occurred in the last year, each one of which was conducted under the

auspices of unionism and each one of which was a violent defiance of the law. These strikes are all fresh in your memories and it would be tiresome to attempt to enumerate them. You all know that the so-called unrest of labor has been particularly virulent during the last twelve months, and that its almost daily manifestations in the form of assaults, murders, mobs, the terrorism of women and children, the compulsory shutting down of industries and the enforced idleness of thousands of men, beginning with the historic reign of lawlessness in the anthracite districts and continuing on down to the present time, would make a bulky volume. The city of Chicago has been on the verge of an upheaval of anarchy a number of times and even during the midsummer dullness we find the labor cauldron boiling and bubbling there with many an ominous sound. Cities like Denver, Omaha, New York, Bridgeport, Lowell, St. Louis, Philadelphia, and many others have also attracted national attention by their strikes and the efforts of their citizenship to maintain law and order. The spirit of the mob has brooded over the country during the last year as it never has before, and in looking for the cause I ask you not to overlook the labor agitator, the chief ranter against law and the worst firebrand of anarchy that is allowed to go unbridled and unrebuked. Who knows but that the contempt for law inculcated by unionism is an indirect cause for the growing disregard for constituted authority manifested by the race mobs, particularly by those in the thickly populated North, where mobs are without any palliation whatever?

#### ORGANIZED LABOR A STANDING MOB.

Organized labor might be aptly termed a standing mob to distinguish it from the mob that is a thing of a night. It is fairly well organized, with an elaborate system of government. But it would be a blessing if it were not so well organized, for, as it is, it stands ready at all times to commit those overt acts of outrage and destruction which are the outward sign of the mob spirit. Under its present leadership it is a great revolutionary force seeking to impress its will upon the country, threatening with starvation the toilers who do not join its ranks, frightening public men by its spectral vote, defying the authorities and coercing newspapers and business men with visions of ruinous boycotts.

Did you ever attend a meeting of a labor union? If you have you will appreciate the force of what I have to say. There you will find the salaried agitator in his element, preaching the gospel of hate, of destruction, of law defiance, planning reprisals upon men held in high esteem by the community, denouncing town officials and the courts and working their dupes up to the pitch of seeking private vengeance on the employers who balk at their nagging demands. This is the place where it is supposed that "brotherly love" is taught, but in reality it is the breeding pen for anarchists. It is here that the blessed gospel is proclaimed that the man who hires another man is a robber and that he should be made to disgorge, not by due process of law but by private means. It is here that the men are taught to work as little as possible for their pay; that the less one man does, the more there is for another man to do; that wages do not depend upon what a man does in return for them but upon the power of the union to force the employer to pay what it demands. It is here that the idea is inculcated that the police

and the courts in enforcing the rights of free labor and free contract are but doing the bidding of the capitalistic class ; that the militia is another hated instrument of the forces arrayed against the working man, and that no man who joins it can be considered in any other light than that of an enemy. It is here also that the hatred for the scab is inspired, that poor contemptible individual who dares to assert that he is a free agent, that he is a self-determining entity, that he is not an automaton to be bullyragged by agitators and bled for their support. Here is where the militant spirit is fostered, and where the love for excitement is fed by the business agent, who must show that he is earning his pay. It is no wonder that when the men are sufficiently imbued with the notion that they are engaged in a mighty struggle with the "tyrant capital" they throw up their jobs and go on the war path, leaving the women and children either to suffer or perhaps to eke out an existence for their manly husbands and themselves over the wash tub.

Do the workmen of this country imagine that they can escape their share of the losses arising from such wholesale idleness ? The man who has something to fall back upon is going to spend his capital rather than suffer great inconvenience but the fellow who has nothing but his daily wage is in an altogether different situation. The anthracite strike cost this country 25,000,000 tons of hard coal worth \$5 a ton, or \$125,000,000. Did the poor people escape paying their share of this loss ? They did not. The natural result of a shortage in the supply is to force a decrease in the demand ; and this is done by advancing prices. Finally in this process a price is reached at which the demand equals the supply. The price of both hard and soft coal due to the strike compelled thousands to skimp their fuel supply, at the same time compelling them to pay double prices for the coal they were successful in getting. Every strike has to some degree the same result, and the people, which includes the working classes, must foot the bill of losses by putting up with less of the necessities and comforts of life than they might have been compelled to do. And yet workmen continue to invest millions of dollars in salaries for trouble makers and industry disturbers. They are making a mighty poor investment.

#### LOWER TONE OF CITIZENSHIP.

But while the material losses are heavy as a result of the onslaughts of organized labor on industry, yet the greatest loss after all is the lower tone of American citizenship, the growing complacency of organized lawlessness, and the lessening appreciation for the liberties of the individual. There are a great many people today who would, if they could, consign the Declaration of Independence to the scrap pile of useless relics.

What does that Declaration say ? It says that all men are born equal, and that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness. This does not mean that all men are born with equal physique, with equal mentality or with equal life force, but it does mean that they stand on an equality so far as their being masters of their own lives, the determinators of their own destinies and the absolute owners of whatever their exertions may bring them. All men are not of the same worth to the world, but every man possesses a deed from nature for that which he is worth. For the purpose of protecting these primal rights the government was established and to it

was delegated the high function of abridging the rights of those individuals who infringe upon the rights of others, and also there was given it the right to levy upon the property of individuals for its own support and the carrying out of objects for the general good. No other agency save the government has authority to exercise these extraordinary powers, and even it in the exercise of these powers, is carefully restricted by the Constitution and the statutes that have been adopted in regular manner by the people themselves. Yet today such is the lack of appreciation of what individual liberty means and such is the contempt for constituted authority that there have been in the past year perhaps a hundred mobs, composed in many instances of so called "best citizens," who have taken the lives of criminals without regard to the right of every man to a fair trial and in open defiance of the government. There is also the standing mob of organized labor which is daily somewhere in the country trampling upon individual rights and denying the sovereignty of the government. Every strike is an attempt to repeal the Declaration of Independence. It is an attempt in every instance to establish the power of an oligarchy which shall say who shall work and what industries shall be allowed to run.

The leaders of organized labor themselves acknowledge that it exists for lawless and revolutionary purposes. John Mitchell boasted during his strike as follows :

"They (the mine owners) are forced to acknowledge that they cannot operate the mines without our consent."

Samuel Gompers, president of the American Federation of Labor, rushed to New York City some months ago when a judge had issued an injunction against some strikers and came out openly with the following :

"Never in the history of the world has a tyrant been found without a judge to clothe his tyranny in the form of law. I am here especially to violate this injunction. I have done so before at a distance, now I want to face the music if there is any."

Gompers longed for martyrdom and the applause of hatred and ignorance.

During the last few weeks there has been a constant succession of assaults and outrages in the city of Chicago and three murders have recently been charged to the credit of union labor thugs that are conducting the partial reign of terror that seems to exist in that city. Honest and law-abiding workmen are compelled to carry guns, while the labor leaders and sympathizers who occupy the offices in the City Hall declare that they are unable to enforce the law.

#### VIGILANCE COMMITTEE IN COLORADO.

Recently in Idaho Springs, Colorado, a number of miners struck, and when non-union men were put to work, some dynamite was used to blow up several of the mine buildings. Everything went to indicate that the local union of the Western Federation of Miners was responsible for the violence but it appeared impossible to get positive evidence owing to the fact that these high crimes committed by organized labor are put into the hands of a carefully chosen committee. In some towns these violence committees bear the designation of "wrecking" or "slugging" crews. In Idaho Springs I understand the crime committee was known as the executive committee.

However, the property owners and citizens of the Colorado town became very much worked up and something very unusual and strange happened. The citizens called a meeting of their alliance. There was present eighty per cent. of the population, including the leading citizens. A resolution was adopted to expel from the town the officials of the union who had been arrested. Then the meeting adjourned and went to the jail. Fourteen of the prisoners, among them the most blatant anarchists of the town, were marched out to the edge of the city and were told never to return. They went. This was the first resort to mob government on the part of business men that has occurred in this country for many years and carries us back to the days when the vigilance committees of early California freed the community from the vicious element that defied law and order by maintaining a superior sovereignty based on the terrorism of crime and violence. In Idaho Springs it was an example of fighting mob with mob; a sort of fighting the devil with fire proposition. Immediately organized labor in Denver went into hysterics. "The idea of labor leaders being forced to leave town by an employers' mob! It was something awful." That and similar wails were sent up by the labor misleaders. Not a word had been uttered by these men against the mob that sought to kill peaceful workingmen and destroy the mine with dynamite—affairs apparently were all right. But to think that non-union men and employers should resort to mob violence and banish from the community the members of a dynamiting mob—that was not to be put up with for a moment. So the Governor was appealed to, the courts were going to be resorted to and all the employers of Denver were threatened with a state boycott if they dared to uphold the action of the Idaho Citizens' Alliance. Ah yes, it makes a world of difference whose ox is being gored. I do not want you to think, however, that I endorse Citizens' Alliance mobs any more than organized labor mobs. Fortunately there have been but few of the former, and while the provocation is sometimes great, every good citizen will remember that the safest and most patriotic plan is to let the law take its course and to see to it that it does take its course.

**NO ROOM FOR SENTIMENTAL CONCILIATION OR ARBITRATION BUSINESS.**

Before I close I want to make a few remarks as to the National Civic Federation proposition of conciliation and arbitration. The proposition is based on the idea that these labor "quarrels" are between little factions, and that therefore the general public should step in and make "its children be good," deciding for them what is right and what is wrong and compelling them to live up to the decision. I am here to say that this labor question is one in which the whole nation is involved; that the general public itself is divisible into those who hire labor and those whose labor is hired. I am also here to say that the government has been formed for settling "quarrels," and that certain laws have been laid down to guide its acts in doing this. I say that if the laws are enforced there is no room for any sentimental conciliation or arbitration business. The employers are making but one demand, and that is that the laws be enforced. The unions are making many demands, but are these demands for the enforcement of the law? They are not. The union demands are of two general kinds—one is that the laws protecting the rights of free labor be suspended, and the other is, that the right of free contract be annulled. When you ask an employer to conciliate and

arbitrate you are asking him to compromise with lawlessness—that is all there is to it. But such has been the perversion of public thought in this country that many are inclined to believe that an employer who refuses to arbitrate fundamental rights is guilty of unfairness toward labor.

If an impossible wage scale is asked of him and he resolutely declines to arbitrate a matter which means the destruction of his business, he is charged with being a labor crusher and an oppressor of his fellow-men. It is part of the settled policy of organized labor to accuse every non-union establishment of underpaying its employees—of being a slave pen, a penitentiary, etc. This sort of mud slinging has been maintained for so many years that thousands of well meaning people actually have the idea that resistance to the demands of organized labor, most of which are absurd, fantastic and impossible, is an indication that the employer is desirous of oppressing those who work for him. Because of this campaign of delusion and prejudice, a vast amount of mawkish sentiment has been wasted upon trades-unionism. Its revolutionary program has been obscured because of the deluge of charges which have been made against the employing interests, but I am pleased to be able to say here today that I believe the eyes of the people are being opened and that they are beginning to understand that these labor trusts which have for their purpose the enforcement of arbitrary wage scales are just as deadly and even more paralyzing to industrial progress than the monster capitalistic combinations which have given us so much to think about during the last few years.

Wages are not fixed by either employer or employee. They are fixed by the natural law of supply and demand. They cannot go any lower than the minimum upon which a man can live, and they cannot go any higher than industrial conditions will permit. The employer pays what he must, and the employee takes what he can get. An employer goes into business when he figures that he can make a fair profit on those he employs, and when he can no longer make a profit off them, he must quit. Some try to make us believe that the employer can grind down wages and still continue in business. He can do nothing of the kind unless the general rate of wages also goes down.

Capital cannot lie idle any length of time. It must be invested, and as it increases in amount, the number of enterprises multiply, and thereby the demand for labor is increased. This has the effect of raising wages. As industry increases in volume production also increases, and as the things produced must be distributed, the tendency is to lower prices, thereby diminishing the margin of profit or interest and increasing the purchasing power of wages. Thus it is that under conditions of free competition, in which industry is encouraged and confidence exists, the general tendency is to raise the nominal rate of wages while at the same time increasing its purchasing power. It is owing to this that the standard of living has advanced to what it has in the United States.

With the multiplying of the efficiency of the individual labor by greater investments of capital, the amount of production per capita must increase, thereby making it possible for higher standards of living in the future. Some people complain because big profits prevail in certain enterprises. It is an error to do this because these very profits attract further investments in these lines and the time comes when the supply of the commodities produced in

these lines is sufficient to meet the demand at prices which will permit of only a fair return on the capital invested. The same law compels a man who is making things of little use to the world to quit business. Thus competition and a strict observance of the laws of individual liberty result in the fullest possible utilization of human labor and automatically direct its energies into channels that will produce the best results measured from the standpoint of usefulness to mankind in general.

Now arbitration is an interference with free competitive conditions and its effects cannot therefore fail to be detrimental. It must be more or less compulsory, for employers as a class are not going to resort to it unless coerced. Where an employer shows a willingness or a desire to arbitrate without any influence or coercion being used, it is always a case in which he sees an opportunity of joining in with his men to form a sort of working agreement or combination of trusts. Some industries are favorable for the formation of these combinations between employers and employees for their mutual profit. The extra pay given the men is charged up to the consumer plus an extra profit for the increased outlay, while the unions agree to make common cause with the employers against independent competitors. Arbitration, when regarded as synonymous with the average joint agreement, is therefore merely an excuse for exploiting the consumer. If generally adopted arbitration could not fail to hamper industry, bring about a wastage of effort, an increase in the cost of production and in the margin of profit, and a decrease in the general rate of wages as a result of diminished production.

If men want to quit work, that is their privilege and when they do quit it is the privilege of the employer to get other men, or if he finds that he must have his old men, to come to terms with them on a basis that will be mutually satisfactory. Where is there any room for arbitration in this course of procedure? The laws of this country are designed to give free play to natural law and all that it is necessary to do in order to settle the so-called labor quarrels is to enforce these laws. There is no room for compulsory arbitration, compulsory investigation or any other socialistic scheme under the present form of our government.

To sum up, organized labor as it is conducted today is, to my mind, a retrogressive and mob-inspiring force. It is continually seeking to establish its power by making war on industry in flagrant disregard for law. The economic ideas that it teaches are fallacious and pernicious, appealing to the ignorant and indolent, arousing class hatred and tending to anarchy. It should receive the earnest condemnation of all who appreciate the institutions and traditions of the country, to the end that a more wholesome tone may be engendered in the public mind, thus minimizing the possibility of mob demonstrations and the defiance of the law by citizen organizations.

# LABOR UNIONS AND THE MOB SPIRIT

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Organized Labor Exists for the Lawful Purpose of Bettering Conditions  
of Work—Labor Unions in Favor of Conciliation and Arbitration—  
The Tyranny of Organized Capital—Not One Per Cent. of Strikes,  
Involving 2,000,000 Persons, Accompanied by Violence.

*By Thomas I. Kidd, of Chicago, a Vice-President of the American  
Federation of Labor, Secretary International Woodworkers' Union.*

So much has recently been said about rioting on the part of trades-unions, the bribery of their officials, their tyranny towards non-union men, and their growing autocratic manner towards employers that I believe a few arguments in their defense would not be out of place at this time.

Let me at the beginning plead guilty to the charge of rioting against certain union men. At the same time I want to declare just as emphatically that the unions as a whole and the members of the unions are diametrically opposed to the settlement of disputes between their employers and themselves by force. No permanent good was ever obtained by force—no good for the working people, anyhow. Time and time again the unions have in trade conventions declared in favor of conciliation and arbitration. It has been said that conciliation is a myth and arbitration leaves a bad taste in the mouth. After twenty-three years' experience with this work, I know that statement is not a true one. Conciliation has prevented more strikes than any one has any idea of except close students of the labor movement. In the city of Chicago, just now the war center of industrialism, the Woodworkers' Union has settled nearly all its difficulties either by conciliation or arbitration, through the employers and employees getting together and discussing their difficulties and conceding something to one another until the matter was settled. Sometimes we have struck. The Woodworkers' Union had a strike in Chicago a few weeks ago, involving about 2,500 men, and it was one of the most peaceful strikes that any industrial center ever knew. The *Chicago Tribune* made note of the fact that there were four times as many men involved as in the Kellogg strike, and that was accompanied by rioting and fighting between non-union men on the inside and union men on the outside. But the fact that trades unions on the whole have declared in favor of conciliation and arbitration, ought to be evidence sufficient to convince the most skeptical of the good intentions of the man who is active in the councils of organized labor.

When riots occur they are usually precipitated and participated in by those who are comparatively recent converts to unionism. The great strikes in Chicago of the teamsters and freight handlers were strikes of practically



unskilled men, who belonged to the union movement less than a year. It is not to be wondered at that these men, having toiled and slaved for years and years uncomplainingly, should, when clothed with the power secured through association with their fellows, overstep the law and become guilty of committing acts that not only are obnoxious to good citizens, but that are obnoxious to the unions generally.

#### EMBITTERING CONDITIONS.

But in discussing this question we must approach it impartially, fearlessly and justly, and if we do so we may find that rioting on the part of working-men is not altogether inexcusable. Let us consider that the early lives of thousands of men in the trades-union movement were surrounded with conditions that embittered them towards those for whom they toiled. This hostile feeling was not without justification. Many of them commenced toiling in the factory when they were only seven, eight or nine years of age. They were dragged from their little cots in the morning only half awake. They labored long and when the day of weary toil was over, and they were returning to the humble huts they called their homes, they saw other children of their own years romping and playing, and while their childish minds could not comprehend the conditions that made them little slaves, who had to toil incessantly while the other children were enjoying the sunshine, the flowers and the singing of the birds, yet they knew that there was something wrong. When they grew older and continued to be the victims of unscrupulous greed—a greed as inhuman as it was unjust, with the extortionate truck-store system to deal with, with the sweater to deal with—the sweater who was sometimes the sub-contractor of some merchant prince—when they saw the great power of the employing class arrayed against them, is it to be wondered that the working-man whose education was neglected when he was young, who was denied the refining influences of intelligent society, should, when banded together with his fellows and provoked by seeing his place taken by others during a strike, lose control over himself and violate the law?

There are thousands and thousands of well-meaning working-men who believe society to be arrayed against them, and who look upon the military and police as tools of capital to keep them in an abject state of subjection. Others again believe that every conflict on the bloody field of battle is fought for capitalism. Nations seldom, if ever, go to war for the purpose of elevating the toiling masses to a higher social, industrial, or intellectual plane. They usually war to help the capitalist of either one country or another, but the men who do the fighting are the wage workers. They are the men who risk making widows of their wives and orphans of their children. But when men are members of unions for a time, they begin to abhor war and rioting, knowing that in either case it is working-man against working-man.

#### STANDING FOR PEACE.

The union aims to bring about the time when not only the members of the working class shall be at peace with each other but when all classes shall be at peace, when we will have no classes but all shall be treated equally as the Declaration of Independence provided we shall be treated.

What is the policy of trades-union men regarding not only riots but

international warfare? You remember under the administration of President Cleveland when this country was nearly involved in a war with Great Britain over the Venezuelan boundary line, there was every possibility of the two great Anglo-Saxon nations becoming involved in a bitter struggle. The Trades-Union Congress of Great Britain that year passed stern resolutions in which it declared that the boundary line question was a capitalists' question and if war was declared between the two nations, they, as working men, would refuse to shoulder a gun to butcher American workmen on account of questions in which they had no interest.

We stand for international peace, and, with Henry D. Lloyd, I believe the safety of this republic depends on organized labor more than it depends upon any other institution.

But why this great outcry against union men rioting? After all, are there many riots during strikes compared to the number of strikes that take place yearly? Let us see: In the last seven years there have been at least 25,000 strikes reported to the American Federation of Labor office, involving at least 2,000,000 persons. How many cases of rioting have you heard of, in connection with these strikes? It is safe to say not one per cent. Not even one per cent. of these strikes were accompanied by riots. I would like to see the same said regarding political conventions; the percentage in them is greatly in excess of the rioting in connection with trade-union strikes.

But how about the people who are making these charges against unionism? There are not many of them it is true, but they are exceedingly active, and succeed in making much smoke with little fire. The leader of an association of employers is making serious charges against our movement, but he does not represent the employers of the country, and consequently cannot speak for them.

There is no association of employers that represents the employers of this country. Thank God, there are more employers outside the Association of Manufacturers and Employers, who sympathize with the trade-union movement, than in the Association that is trying to antagonize them in their great work.

Who hire the Pinkertons or others to go into our meetings during strikes to incite violence so as to create an excuse for calling upon the authorities to break up the strikes? These selfsame men who are denouncing the unions. Who hired the coal and iron police during the anthracite coal strike—the comparatively few men who were guilty of more degradations than the 150,000 striking workers? The wealthy mine owners, the presidents of the coal carrying roads. Who were guilty of whitecapping the miners of Idaho Springs, Colo.? The leading citizens of the place. Who instigated the recent riots at Danville, Ill., and Evansville, Ind.? Certainly not organized labor. Who are guilty of robbing and lynching in the Southern and sometimes in the Northern states? Usually those opposed to unionism.

#### TWO CLASSES OPPOSE TRADES-UNIONS.

The opponents of trades-unions may be divided into two classes. The first class is composed of those who are financially interested in keeping the workers divided, and the second class, those who are ignorant. As the organization of labor means higher wages and better conditions for the workers, the antagonism of the first class is natural under our competitive

system. We expect opposition from them, and we are prepared to meet it.

It is with the other class, those who are ignorant, that we must deal, and through enlightenment and education along trade-union lines, convince them of their mistaken ideas. The conditions of hundreds of thousands of workers have been bettered through co-operation. Their lives, and the lives of the women and children dependent upon them have been brightened through the beneficent influences of trade-unions, but except to the close student of the movement, these facts are practically unknown.

When riots or violence occur in connection with a trade dispute, there are many who, ignorant of the good that has been accomplished through unions, see only that which is bad and lawless, and form their opinions accordingly. Nothing could be more unjust. A principle must not be confounded with every alleged exponent of that principle.

History tells us that many of the blackest crimes which the world has known have been committed in the name of Christianity. Still the world today does not condemn Christianity. On the contrary, the world today looks upon Christianity as the greatest uplifting influence known to man. Ministers of the gospel have been convicted of crime, and punished as common criminals; yet we do not use that as an argument that the gospel itself is false. Those preachers of the gospel who have fallen, have done so, not because of Christianity, but in spite of it. The same is true of those who commit violence, and at the same time are trade-unionists. They commit violence, not because they are unionists, but in spite of that fact. How unfair, how unreasonable, to gauge the entire labor movement, with all the good it has accomplished, by the acts of a few men. Yet this is exactly what is being done by some people.

Many opponents of unionism say they are not opposed to labor unions if they were "properly conducted." What does that mean? It means that to "properly conduct" a union according to the views of such men, it must be conducted as a sort of social organization, without resisting the unscrupulous demands of the employer, or at most offering but a passive resistance. We are not organized with any such object in view, nor do we intend to organize on those lines.

#### RIGHT TO SAY SOMETHING ABOUT CONDITIONS OF WORK.

We have been accused, unjustly it is true, but we have been accused of trying to conduct the business of our employers. We are willing that he should have the conduct of his business, and we shall claim the same right to conduct our business in our own way. That way does not lead through the path of violence, but through reason and toleration. We have a right to have a word to say as to what conditions we shall work under, and all we ask is that our employers recognize that right. We refuse, and we shall continue to refuse, to let our employer be the sole judge of the conditions under which we toil. Waive that right and we would cease to be free men, and become slaves. If because we insist on this right, we do not conduct our unions as they ought to be conducted in the eyes of our opponents, then we must open their eyes to a broader view of the conditions, for we are not ready to convert our labor-unions into social organizations purely.

Is any human institution perfectly conducted? Take our great institutions of learning, and we find they sometimes make grave mistakes.

Mistakes are made by our diplomats in their dealings with our foreign relations sometimes. Our church councils err at times, and admit their errors. Why then should we expect the unions of working-men to be perfect? They are composed of men less favored by education and environment than any of the other institutions mentioned. Still some men look for perfection at the bottom of the scale, when it does not exist at the top. We are not infallible and no one knows this better than we do ourselves. But because of shortcomings of a few, the many should not be condemned.

Many wealthy persons have justly earned for themselves the title of "tax dodgers," but we are not going to condemn all men of means as "tax dodgers."

An official in Georgia, recently had a woman whipped over the bare body for refusing to yield herself to him, but because of his conduct we are not going to class all officials as brutes.

Perhaps, after all, the sins of unionism will diminish with time, until they have entirely disappeared. In the great spiritual work Christ was denounced as a disturber of the peace and crucified as a violater of the law by the privileged class of his time. The world since has profited by his martyrdom. Martin Luther, the great leader of the Reformation, was hounded by the ruling class, and if Rome could have laid hands upon him the Reformation would have been postponed. Chattel slavery was not wiped out until the English language was exhausted for words to convey the slave owner's contempt for some of the greatest names in our history—Emerson, Garrison and Phillips. Thomas Jefferson, the political reformer, was denounced from one end of the country to the other as an infidel, anarchist, Jacobin and demagogue. Is it any surprise then that the union should be denounced and all the vile vituperation possible hurled at it? The advocates of industrial reformation expect abuse, and are prepared for it.

Wrongs exist in other institutions as well as in the unions, but the wrongs of the unions are magnified, while the virtues of the others are extolled throughout the land.

Again, do not forget that the law is against those who earn their bread by the sweat of their brow. A man is arrested for rioting or some other offense against the law during a trade dispute. The best legal talent money can procure is hired to prosecute and send him to prison. All these things are constantly revolving in the worker's mind, and he sees his fellow workmen who have grown old in years creating wealth for others, whose heads have become white, whose muscles have become weak, cast aside like a worn out tool or machine to spend his declining years in a pauper institution.

Attempts have been made to make capital out of the charges that leading men sometimes connive at the disturbances that occur during a strike. One of the first orders issued by John Mitchell during the strike in the anthracite region was that his men should keep away from the breakers, and that no violence should be committed by them. He urged them to abstain from intoxicating liquors. He asked them to aid the Coal and Iron Police and the authorities in protecting the mine owners. Orders like that have been issued more than once by strike leaders. But you must remember that most of the men in the trades-union movement today are recent converts, knowing nothing of the history of the movement, and whenever, during a strike, they see

men going into the factories, working at the benches where they were employed, or standing by the machines they operated, their indignation gets the better of their reason, and when on peaceful persuasion the non-union man refuses to leave the machine or bench, he is sometimes set upon by the hot headed striker.

#### PROGRESS OF CONCILIATION AND ARBITRATION.

The railway organizations do not have strikes any more because, in spite of the statement that conciliation is a myth and arbitration leaves a bad taste in the mouth, all the differences between the railroad companies and railroad organizations are settled by conciliation or arbitration. And in a few years you will find the number of employers who are willing to meet the representatives of the men and discuss the questions of hours, wages, and better conditions still increased. When that time comes, there will not be any strikes to speak of. The reason for so many strikes now is because of the autocratic, arrogant employer who thinks that the sun shines for him alone, and does not believe the working-man has any rights he is bound to respect, and it is usually when an employer or a man like that is on a strike that riots and mobbing occur.

We have been denounced for almost every sin on the calendar. Attempts have been made to make capital out of the charges that leading men in the New York labor movement were bribe takers. If the charges are true as large a proportion of union men as of any other class will greet with undisguised satisfaction the news that they have been sentenced to a term of imprisonment sufficient to meet the crime. But while we punish the bribe taker, let us not forget the bribe giver. To my mind, the one is equally guilty with the other, and both are equally dangerous, not only to the class they respectively represent, but to the community at large. Hence if society sends to jail the dishonest representative of labor, let it also mete out just punishment to the equally guilty representative of the employing class.

It will not do to charge the unions with the guilt and wrong-doing of a few of its members, any more than it will do to charge the entire army of the United States with being responsible for the reprehensible conduct of a few officers in administering the water-cure to a number of helpless natives in the Philippine Islands.

When a union finds any of its members guilty of dishonesty, he has to suffer such punishment for his offense as the union thinks fit.

At the present time Chicago is excited over the organization of employers that has been fighting those employers who have held aloof from the organization, and trying to drive them out of business. We find in connection with these employers' organizations that there has been a system of blackmailing going on by those who held membership in the organization, against those who held aloof.

I cannot emphasize this fact too strongly, that while the trades-unions do wrong, they are not alone in wrong doing. A judge does not justify them for the wrong they do. At the same time it must be borne in mind that *most union men are ignorant, have been toiling for many years and know no better.*

*In conclusion:* We want the support of the church. If we do wrong, it

is right to chide us, but we should not be abused and villified for doing that which others are honored and praised for. Who is it that has been fighting the battles of the children in the cotton mills of the South and of the breaker boys in the anthracite fields of Pennsylvania? It is the unions.

We want your support, and with the church behind the union, to aid it and advise it, the union would become a power for good that would be very hard indeed to estimate. We are organized like the church, not for the benefit of the few but of the many, and I believe those who understand the trades-union movement thoroughly will advise those who do not understand it, of its principles, its aims, its hopes. And I am satisfied that when once its principles are understood, you will hold to them as you do to the principles of the church and never forsake them.

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## RELATION OF LAW TO MANIFESTATION OF THE MOB SPIRIT

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**A Government of Law Executed Through Lawful Agents—The Origin, the Effects and the Cure of the Mob Evil—Mob Rule Brutalizes Individual, Destroys Our Government and Increases Crime—Courageous Sheriff and Implicit Obedience to Law Demanded.**

*By Chief Justice Charles B. Lore, of the Supreme Court of Delaware.*

In discussing our subject, "The Relation of Law to the Manifestation of the Mob Spirit," we are brought in touch with one of the evils, perhaps the evil most dangerous to republican forms of government.

Our government is based upon written constitutions, national and state, and upon statute law, which define or limit the powers of government, and the rights and privileges of the people. Its whole framework is written law. Under this law each citizen covenants with every other citizen, what shall be the rights and duties of each one toward the other and to the government. Individual liberty within such limits is given up to the government for the public weal. This governmental power has three divisions—legislative, executive and judicial, with constituted agency for its efficient administration. To these agencies within their respective limits the people have given up all their authority. By these agencies such authority must be administered from the very nature of the case.

The government being of and by the people, where each individual voter is the integer of government and the source of all the power, it would be manifestly impossible for the eighty millions of our people to get together and act as a body, on all and every occasion in legislative, executive or judicial function. While this is true of our general government, it is equally true of the people of each state constituting the United States.

*Under well devised law this power has been delegated by the people, and may be recalled or modified only in pursuance of the written covenant.*

The people as a body cannot execute. They must act through agents. These agents however, are at all times amenable to the people acting in lawful channels and may be changed at the people's pleasure.

This being so, we are simply and purely a government of law. Take away the law and society dissolves into its original elements, each man following his own arbitrary will, so far as other more dominant wills or brute force permits. With us, therefore, government means obedience to law. Lawlessness means anarchy. Mob law is anarchy pure and simple. Anarchy is the rock upon which all ancient republics have ultimately been wrecked, and is today one of the most threatening evils of our republic.

Strangely enough just at this period of our national development, when by unique victories over oppression, the United States has taken a dominant place among the nations of the earth, and at a time when our government seemed to be most firmly rooted in public confidence, we have been disgraced by some of the most revolting and brutal exhibitions of mob violence recorded in history. Our subject is therefore one of intense gravity.

Let us consider the mob spirit with respect to its origin, its effects, and its remedy.

#### ORIGIN OF THE MOB SPIRIT.

The origin is not always founded in evil. It often enlists men, who are pleased to call themselves the respectable element of society, and are in the main well-meaning. Its incitement is generally some real or imaginary wrong or some aggravated crime. In the moment of ungarded passion such men forget their duty to themselves and society and lend countenance and aid to lawlessness, thoughtless alike of the consequences to themselves and society in thus taking the law into their own hands. There is, however, a percentage of every community whose criminal lives tend to lawlessness. This element is constantly on the alert and scents coming violence, as sleuth-hounds scent blood. When mob law prevails, this element furnishes the leaders of the mob, and the respectable element becomes the follower of the most degraded, whose society under ordinary circumstances would be shunned with as much care as the plague.

#### SAPS MORAL FIBER.

We pass from the origin of mob spirit to the evil effects of its exercise.

First—Mob law saps the moral fiber of every participant in the lawless act, and puts the most respectable of the mob on the same moral level as the most degraded. For once they join hands. Both clothe themselves with the garment of crime. The most brutal and desperate naturally take the lead; the respectable men follow such leaders. Lawlessness breeds crime, and when respectability and crime lie down together respectability wallows in the mire. The man who violates law in any case, finds it easy to add other violations to the last. He readily finds plausible excuses for his violence, until the time comes when he needs no excuse at all. The practice becomes a habit, and breaks down every barrier against vice. No self-respecting man can be an active participant in mob violence against law, order and decency and retain his moral integrity. Every such act leaves a *scar, and a blot that a lifetime will not remove*. He can never forget that *he once joined a cowardly mob*, in doing a cowardly act, that he as an *individual and alone would not dare undertake*. Under cover of the multitude,

it may be the night, the mask or some other disguise, he has become a fractional murderer, without the courage to become a whole murderer. In other words, a coward in his crime. Such a man dares not stand forth in a court of justice and avow his participation in the crime and let the law take its just course ; and usually when arrested he puts in a plea of an alibi.

RESOLVES SOCIETY INTO ORIGINAL LAWLESSNESS.

Second—The effect of mob violence upon society is even more startling. It resolves society into original lawlessness ; substitutes brute force for law, and passion and vengeance for justice. In the words of Governor Durbin, of Indiana, "It breaks down the barriers which centuries of civilization have erected between brute force and human rights." It gives society over to the most degraded and criminal classes. It makes every mobite, when a human life is taken, a murderer, as Judge Brewer has well declared, and liable to be tried and convicted for that offense.

Such in general is the communal result. It inoculates the people with a deadly poison. "It is certain that the mob spirit is contagious. The triumph over law and order of a mob of reckless and criminal persons in one locality stimulates the same class in every other locality. There is always in every populous community a considerable percentage of people criminal by instinct, and though ordinarily cowed by public sentiment, and the forces of the law, into an outward respect for legal authority, are always on the watch for an opportunity to trample law under their feet. Little by little the mob spirit, which has long been active in some localities, has been spread, until almost every issue of the daily press has news of some outbreak of lawlessness, so often successful and unpunished. Every triumphant mob emboldens criminals in every community to riot, more readily and for less reason than before."

Mob violence is deadly treason against our government, which grants the largest liberty to the individual, and protection to life, liberty and property, of any government in the history of mankind. It strikes a deadly blow at our cherished ideal, and governmental theory of man's capacity for self-government. The more deadly because it touches all the people, disarms the poor and the helpless and turns them over to brute force or despotism. Steadily pursued, it means the death of liberty.

DOES NOT DECREASE CRIME.

Third—Many well-meaning people seem to believe that the vengeance of the mob is a check upon crime, and that the effect is wholesome. Some crimes are so unspeakably horrible, like the one committed near Wilmington, Delaware, a few weeks since, that outraged human nature, in its thrill of horror, is for a moment ready to approve of almost any revenge. Still the fiendish vengeance executed by the mob upon that brute was not the work of good citizens.

In the light of experience, mob violence does not prevent the repetition of the crime so avenged. Such savage punishment arouses the very spirit it is intended to repress. "In the lurid light of the burning victim others of his class see him as a martyr." The spirit of vengeance is aroused in them, with a wild, fierce, unreasoning madness they hasten to repeat his crime in order to revenge death. The work of the mob in such cases not only brands the state and nation with indelible disgrace, but tends to multiply crime, and



decency. In the George White case already referred to a notable example commands our admiration. Dr. Bishop, the father of the victim of a horrible outrage, with the body of the victim, his daughter, lying on the bier before him, dictated a letter to the excited people containing these words: "Our cup of bitterness is full, and we ask you to join us in our appeal to all citizens of our commonwealth to refrain from violence." These words are worthy to be written in letters of gold and framed and hung up in every American household, they breathe essential Christianity. This sentiment met the common approval of the ministers of the gospel in Delaware; there was only one discordant voice.

Anarchy lurks under the pleasing garb of liberty, and the assassin clothes himself as a defender of human rights. Lawlessness is our danger. Reverence for the law, and obedience to her mandates is our safety. A strong and masterful sentiment of such obedience to law is a sure cure for mobs. It cuts up the evil at the root. It furnishes a soil on which no lawlessness can flourish.

No order loving citizen can afford to encourage the mob spirit either before or after deeds of violence. There should be no words of encouragement, no ostentatious offering of bail for such persons when arrested, no fawning favor for the law breaker however much he may be pitied.

Your association in its wide sweeping field of labor along healthy educational lines is potent in forming such public sentiment.

I believe with United States Judge Brewer, "That there is going to be a reaction against the atrocious crime with which the papers have been filled. The fact that the people are now interesting themselves in the discussion of this problem makes it manifest that there is a tendency toward a change. I expect it will come soon."

Let me hope through the efforts of the Chautauqua Institution that change may come speedily.

# THE LAW AND THE MOB SPIRIT

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**Constitutional Guarantees and Mutual Covenant to Protect Every Man's Right to "Life, Liberty and the Pursuit of Happiness"—Crimes Against Persons and Against Property—No Room in Same Country for Mob Rule and Courts.**

*By John Woodward, Justice of the Supreme Court of New York.*

As "self-preservation is the first law of nature," so it may be said it is the first principle of constitutional government. All of the great constitutional guarantees of trial by jury, of due process of law, of equal protection of the laws, of freedom of speech and of the press, relate to the protection of the individual, and our system of jurisprudence radiates from this great central idea of the personal security of the component elements of the body politic. "The end of the institution, maintenance and administration of government," says the great preamble to the constitution of Massachusetts, "is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquility their natural rights and the blessings of life; and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity and happiness. The body politic is formed by a voluntary association of individuals; it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and faithful execution of them; that every man may, at all times, find his security in them." But the duty of the people does not end here. It extends to the creation and maintenance of a public sentiment which will give efficiency to the laws and the machinery of administration thus brought into being, for experience in all times, in a democratic form of government, has demonstrated that without the sustaining grace of popular approval, statutes are but formulas, calculated to vex and annoy rather than serve any public end.

Each of us, upon entering the body politic, takes upon himself the obligations of this covenant to protect every man in the right to "life, liberty and the pursuit of happiness." We say to our neighbor, and to our neighbor's neighbor throughout the jurisdiction that in consideration of his aid and assistance in protecting our rights against aggressions, we will undertake to protect his rights under laws which shall be equal in their scope and impartial in their administration, and we violate this covenant, both in letter and in spirit, whenever we permit any individual, no matter how humble or how guilty of offenses against society, to be deprived of his

rights without that "due process of law" which is the heritage of every man born in this republic. The moment that we admit the right of a mob to administer punishment or to adjust controversies under any circumstances, we concede the failure of government by law; we acknowledge our lack of capacity for self-government, and we have started upon the highway which has led other nations down to melancholy tragedies and to military usurpations. When this great mutual covenant is broken; when the parties to this high contract stand indifferent or participate red-handed in the crime of taking the life, the liberty or the property of a fellow-covenanter, without reference to the law of the land, there is an end of the security for which we enter into a state of society, and the time is not distant when the people distressed and harassed by the lawlessness of the many, will welcome a government which, while giving less of liberty, will give more of protection.

#### TEST OF POPULAR GOVERNMENT.

There are crimes so revolting that there can be no human sympathy with the perpetrators, and it takes a high degree of civic virtue to resist and condemn the assertion of the mob spirit, or the spirit of savagery, which is altogether too thinly glossed over by the ages of civilized society through which the Anglo-Saxon race has passed in its pilgrimage up to the present heights. But right here must come the test of popular government. We must be able to protect every man in his right to a trial by jury; we must be able to perform the covenants which bind society together, or our government is a failure. When we cannot insure to the meanest wretch who walks the earth the protection of the law, we cannot be secure in our own rights, for, in the language of Lord Chatham, in his speech on the "Address to the Throne," "where law ends, tyranny begins." "For my own part," says this brave defender of individual rights, in considering the case of John Wilkes, "I consider him merely and indifferently as an English subject, possessed of certain rights which the laws have given him, and which the laws alone can take from him. I am neither moved by his private vices, nor by his public merits. In his person, though he were the worst of men, I contend for the safety and security of the best; and, God forbid, my lords, that there should be a power in this country of measuring the civil rights of the subject by his moral character, or by any other rule but the fixed laws of the land." That is the true doctrine of civic righteousness; that is the only guarantee of your safety and of mine. Once admit any other standard of action; once concede that any member of the state may be punished for crimes not recognized and provided for in the law, and in the manner having the sanction of usage, and the door is wide open to all the abuses which have blackened and marred the history of the race in all the ages of the past. Revenge, which is the dynamic force controlling the mob in the case of those nameless crimes, which have not grown less with the growth of lawlessness, is not the true purpose of punishments; it is an attribute of barbarism.

Revenge is unreasoning and purposeless from a public view point; an individual or group of individuals, actuated by this motive, loses sight of the true justification for punishment which, to quote the language of Grotius, "*must either have the good of the criminal in view, or the advantage of him whose interest it was that the crime should not have been committed, or the*

good of all indifferently." In other words we punish not for revenge, but for the preservation and the welfare of society. "For this reason," says Burlamaqui, "nothing is more agreeable to the end of punishment than to inflict it with such a solemnity as is most proper to make an impression on the popular mind," a thing impossible in the melo-dramatic and uncontrolled fury of the mob in the execution of its single purpose of revenge. The mob, whatever the character of its component members, having, in quest of revenge, reverted to primitive conditions; having subordinated to this purpose every other faculty, becomes a menace to every man in the community who may be pointed out by circumstance or the finger of suspicion. When the mob spirit is abroad in the land and there is a crime to be revenged, a victim must be found, and "trifles light as air" are to the seekers after blood, "confirmations strong as proofs of holy writ."

#### TENDENCY TO LAWLESSNESS PROGRESSIVE.

That lynching is not confined to those crimes which shock our sensibilities to the extent, at times, of paralyzing our moral and civic consciences, and that the tendency to lawlessness is progressive, is strongly attested in a recent dissenting opinion of the chief justice of North Carolina, who says: "There is nothing that is more subversive of good government than lynching, yet more men have been executed in this mode in North Carolina in the last fourteen years than by lawful process, and some years twice as many, as appears by the reports of the attorney general. The last message of the governor of the state reports eight executed by lynch law in the last two years, of whom three only were lynched for rape, and in the same period only five were executed by the sheriff for all offenses." During this same period of fourteen years, marked by this lawlessness, the same authority tells us that the number of murders has increased twofold, manslaughter fourfold and other crimes about seventy per cent, indicating clearly, it would seem, that the true purpose of punishment, the safety and welfare of society, is not promoted by this resort to mob violence. While the learned chief justice attributes this increase in mob executions to delay and uncertainty in the administration of the laws, due as he says to the modifications of the common law made by the legislative authority of the state, it must be obvious to the thinking man or woman that the resort to violent and dramatic methods of avenging crime has operated to encourage rather than discourage individual crimes, and has thus defeated the only possible justification which might be urged. If summary and cruel punishments for crimes operated to decrease their number, if the safety and welfare of society was conserved by these relapses into barbarism, we might even say that the sacrifice of an innocent individual now and then might be tolerated because of the general good, but when we are confronted with the fact that individual crimes increase contemporaneously with the increased lawlessness of the body politic, we are forced to conclude that lynching can have no possible place in the true policy of a civilized state, and that there is no safety outside of the law, either for the individual, or for the collective society.

The truth is, and we are making progress when we recognize the truth, that we are all too careless of our civic duties; we are too prone to neglect them. We should realize, in the language of Lord Bacon, that "*the duties of life are more than life*," that it is more important that we discharge the

duties of citizenship than that any one of us should live out a given span of life, and there is no higher duty in a republic than a resolute and consistent insistence upon the observance of the law.

A FLIPPANT PRESS.

We patronize, support and encourage a flippant press ; nothing is more common, even among newspapers which class themselves as conservative, and who berate the sensationalism of the "yellow journals," than to find paragraphs apologizing for or approving of lynchings. We find these same papers figuring out in days, weeks or months the time that has elapsed in the trial of this or that criminal, and the work is approved or disapproved upon the mathematical basis of the time employed, with reference to the fact that the murderer was poor or rich, and with the innuendo that this determines the speed or delay in the administration of the law. As a matter of fact there is no connection between the delays and the question of the wealth of the client in scarcely a single case. Every man who is put on trial for a capital offense is put in command of the resources of the state, if he does not have them himself, and he can urge every defense that is open to any man, and usually with the aid of the strongest counsel in the locality of the crime.

THE LAW'S DELAY.

The law's delay so much prated about, depends very largely upon the particular time that the crime was committed, and to the necessities in the practical administration of the laws in a jurisdiction which presumes innocence until guilt is proven. It is impracticable, in most communities, to assemble a grand jury oftener than three or four times a year. If the crime is committed immediately after the sitting of one grand jury, the criminal, if apprehended usually has from three to four months before another assembles, and before he can be indicted. Until this time he cannot be lawfully tried. Then for the first time he is formally charged with the crime, and he is then entitled to a reasonable opportunity to procure counsel. If he is unable to do so, the court assigns counsel. In such a case the counsel may be entirely unprepared to deal with the defense, and a decent regard for the rights of his client compels the granting of sufficient time to enable counsel to look into the case and determine upon a line of defense. In the meantime the court adjourns, and the case of necessity goes over until the court reconvenes, which may be three or four months hence, and I apprehend that even an innocent man, where the circumstances were strongly against him, would not care to go to trial for his life on a less allowance of time after his indictment. It will thus be seen that there is room for a delay of from six to eight months without resort to any kind of technicalities, and then when it comes to the trial there are all of the questions of law to be considered, and these take time. How foolish then, to undertake to determine the efficiency of the law by a reference to the time which elapses between the commission of the crime and the final action of the jury, and how dangerous it is to society for the newspapers to continually inculcate in the popular mind an impression that justice is a matter of favoritism, or that it is determined by the poverty or the wealth of the criminal.

SUBSTANTIAL JUSTICE.

*It is perfectly true that there are many violations of the law by rich men*

which go unpunished ; it is equally true that there are thousands of crimes committed by poor men which never pay the penalty pronounced by the law. Some of these are due to the fact that grand juries, for reasons of public policy, or for motives entirely personal to themselves, will not indict for certain offenses ; some of these are due to the fact that the offenses are of such a character that they relate only to the individuals involved, and for reasons of their own they are not called to the attention of the officers charged with the duty of punishing offenses. Where the cases get into court, where the individual citizens who make up the grand and petit juries have done their duty, there are few cases in which justice is not approximated under the laws. All questions of fact, in criminal prosecutions, are determined by a jury of the vicinage. Failures of justice, upon the trial of questions of fact, are due, not to the law, but to the inherent defects in human nature, and it can hardly be doubted that these are less mischievous when manifested in regular channels, than when under the dominion of the mob. To question the verdict of a jury, drawn from the ranks of the people, to be returned to the currents of active life immediately upon the completion of the trial, is to assume that men, acting under oath, and with the light of all the evidence that may be brought to bear, are less competent to determine facts than the same individuals in the presence of circumstances calculated to start a mob upon its mission of vengeance, for mobs, to successfully carry out their purpose, must be composed, or have the sympathy, of the men who must be called to the jury room in the practical administration of the laws. The bare statement of the proposition shows its absurdity, and it ought to admonish us that it is our duty to analyze and point out the defects in reasoning which detract from the dignity and the usefulness of the popular press.

#### LAWS CAN BE LAWFULLY CHANGED.

In this connection, and to the end that we may clearly view this question in its relation to ourselves, it should be borne in mind that our laws, in so far as they have modified or changed the common law of England, are the results, not of administration, but of legislative enactment, and if they are too technical, it is within the power of the people in any state, acting through perfectly lawful channels, to change them to conform to the most enlightened conceptions of modern justice. If speed is, in fact, a desirable end to be accomplished in dealing with crime ; if it is necessary as a concession to the spirit of savagery which survives beneath the veneer of civilized life, it is within the power of the men who make up and support, negatively or positively, the mobs which have terrorized and disgraced large areas of our country, to provide the machinery by which men charged with crimes may be railroaded to their doom. They may, if they choose, so change the rules of evidence and the methods of procedure that every malefactor may be accused, tried, convicted and punished with neatness and dispatch, amid the plaudits of a community which stands ready to accept almost anything so long as it is rapid, but it may be doubted if the expedient would serve to lessen the number of crimes or their atrociousness.

The experience of the world has been that cruel and dramatic punishments, turned into popular spectacles, have not had a deterrent effect upon criminals. Things which to the normal man appear dreadful, appeal to the abnormal man with peculiar force. The desire for notoriety, false concep-

tions of heroism, the peculiar fascination of occupying the center of the stage in a dramatic situation, have been known to actuate criminals, while familiarity with scenes of bloodshed serves only to harden and intensify the natural criminal impulses. This tendency would be encouraged and developed by a hasty and undignified system of jurisprudence, and the result of such an experiment would in all probability, be a return to the present so-called technical methods, which are, after all, but the rules which experience has found necessary in preserving to the individual the right for the protection of which he entered into organized society. Modern scholarship is agreed that in the great tragedy of the cross the Savior of mankind was given all of the benefits of the rules of Jewish law, but he could not be protected from the trial by hue and cry; the mob spirit, the prejudices of the masses, were arrayed against him, and it is only because modern jurisprudence has improved upon the methods of those times, and given the prisoner the right of appeal so long as there is a question of the fairness and legality of his trial, that the injustice and the wrong of that conviction are no longer possible. The technical rules which are made use of by the guilty to delay the day of execution, are the rules which guarantee to the innocent the preservation of their rights, even in the face of popular clamor.

#### GOVERNMENT ORGANIZED TO PROTECT INDIVIDUALS.

It should always be remembered that the great purpose of organized government is protection to the individual; we cannot bring back the dead, and we have no right, by a hasty and passion moved administration of the law, to drag innocent men to execution. That the innocent may be protected, that justice may be accomplished, rather than revenge, it is necessary that there should be rules governing the accusation and trial of persons charged with crime, and if there are rules it follows that there must be an opportunity for a judicial determination of all questions arising under such rules, before any man can be lawfully convicted. These are what are popularly referred to as technicalities, but the experience of ages, the best and most enlightened thought of all the ages, has developed these rules and experience has justified them. If they are necessary to protect the innocent, we cannot consistently deny them to the guilty, for we have covenanted in our great charters that every member of the state shall be given the equal protection of the law, and our system of jurisprudence rests upon the proposition that every man is presumed to be innocent until the contrary is established by competent evidence, in the manner prescribed by custom and the law. There is nothing in the experience of the world, and many expedients have been employed, to warrant the assumption so often asserted, that a more summary disposition of criminals would result in a decrease of mob violence or of crime. On the contrary, there are many examples of a rigorous and brutal system of punishments, resulting in increased crime and bravado on the part of the masses, and it has usually resulted in revolution, often characterized by even greater cruelties, until the state or nation, surfeited with bloodshed, has fallen under the sway of a military power which could give them respite from the carnival of crime.

#### PROPERTY RIGHTS.

We have dealt so far with the mob spirit as it is manifested against those charged with crimes against the person, and if we have fulfilled the purpose

of this hour, we have demonstrated that this mob spirit is inimical to popular government; that there is not room for the two systems in a single jurisdiction, and that it can have no possible justification under a constitution which enables the people to change the law and its administration without a resort to violence. If this is true of the case which we have been considering, it is not less true of those matters which involve the liberty of the individual in his pursuit of happiness, or in respect to property. The constitutional guarantee is that no member of the state shall be deprived of "life, liberty or property, without due process of law." Each is equally sacred, for life without liberty or property, which in a constitutional sense means all of the lawful possibilities of our being, is barren, hopeless and undesirable.

The individual has a right to "pursue any lawful business or vocation in any manner not inconsistent with the equal rights of others," and this right is not increased or diminished by the fact that he becomes a member of the manufacturers' association, a labor organization, or any other voluntary society. The manufacturer, whether he be an individual or a corporation, has a right to conduct his business, to control his property, in any manner not inconsistent with the equal rights of others. He has a right to employ such help as he chooses, being responsible to his other employees for any neglect in the choice of competent fellow-laborers, and society owes him the duty and obligation of protecting him in this right against all unlawful efforts at coercion. On the other hand the laborer, whether he belongs to an organization, or is but an humble covenantor in the great system, has the absolute right to contract for his services with whomsoever he pleases, and the right to contract carries with it the right to determine the rate of compensation and all of the terms and conditions of the employment, except such as may be regulated under the police powers of the state, and which enter, of necessity, into every contract. Having these rights; these being the rights which we have mutually covenanted to protect, it is the duty of the state to insist that they shall not be encroached upon, either by individuals or organized bodies of individuals under any pretext whatever.

#### RIGHTS OF LABORER AND EMPLOYER.

The laboring man has not only a right to contract for his services, but he has a right to determine whether he will sell his services to any particular individual or corporation. He has a right, in the absence of a contract to the contrary, to capriciously refuse to work for any one; he has a right, acting without threat or violence, to persuade his fellow-laborers to refuse to work for any given person or corporation, and the right which belongs to the individual is not lost to a collection of individuals. The labor organization has a perfect right to do collectively what any of its individual members might do; that is, it has a right to do anything for its own welfare which is "not inconsistent with the equal rights of others." The difficulty has been (and time and experience will correct this evil, no doubt) that the ranks of the laboring men have been filled up with those who have not been trained to distinguish accurately between their own rights and the rights of others, and they have acted in too many instances, upon the assumption that as an organization they had rights which they would not have as individuals. In other words, having the power to go beyond the limitations fixed upon the individual, they have encroached upon the rights



of others, and this encroachment has been resisted, at times unlawfully, until between contending forces, each acting outside of its legitimate sphere, a condition of warfare has existed, resulting in public disturbances and a condition bordering upon anarchy. This is a manifestation of the mob spirit, which has for its natural result the crushing out of individual liberty, and it cannot serve the true welfare of any man, whether he be the employer or the employee. In what I have said, I am not to be understood as condemning the labor organization as such, or the manufacturers' association, or any combination of individuals for their own ends.

On the whole I am rather disposed to look upon the labor organization as the logical result of combination in capitalization, and upon both as the result of our economic system, and my criticism is rather of the inertness of the state and nation, which has caused to be regarded with too much of indifference the tendency on the part of individuals, corporations and associations to disregard the fundamental rights of man, and to assume in disregard of law, to adjust by force and intimidation their own controversies. The rights of the laboring man are not safe when he may be coerced into refusing that employment which is essential to his "life, liberty and the pursuit of happiness," and the welfare of the state and nation demands that there shall be no compulsion exercised over the individual by any combination of men under any pretext, except such as is prescribed by the laws of the land. There is a broad field for organized effort in a perfectly legitimate and lawful way, among manufacturers, employers and employees, and when any organization, no matter by what name it is called, goes beyond the limits marked by the law, it is the duty of good citizens, acting through the channels of the law, to assert themselves in the protection of the rights of those who are being encroached upon. There is no other safety; there is no other way in which we can maintain that justice which "gives to each member of the community his due, without favor or affection."

## LAWLESSNESS MUST CEASE

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### President Roosevelt's Letter to Governor Durbin Regarding Mob Law.

MY DEAR GOVERNOR DURBIN—Permit me to thank you as an American citizen for the admirable way in which you have vindicated the majesty of the law by your recent action in reference to lynching. I feel, my dear sir, that you have made all men your debtors who believe, as all far-seeing men must, that the wellbeing, indeed the very existence, of the republic depends upon that spirit of orderly liberty under the law which is as incompatible with mob violence as with any form of despotism. Of course, mob violence is simply one form of anarchy, and anarchy is now, as it always has been, the handmaiden and forerunner of tyranny.

I feel that you have not only reflected honor upon the state which for its good fortune has you as its chief executive, but upon the whole nation. It is incumbent upon every man throughout this country not only to hold up your hands in the course you have been following, but to show his realization that the matter is one of vital concern to us all.

All thoughtful men must feel that gravest alarm over the growth of lynching in this country and especially over the peculiarly hideous form so often taken by mob violence when colored men are the victims, on which occasion the mob seems to lay most weight, not on the crime, but on the color of the criminal.

In a certain proportion of these cases the man lynched has been guilty of a crime horrible beyond description ; a crime so horrible that as far as he himself is concerned he has forfeited the right to any kind of sympathy whatsoever. The feeling of all good citizens that such a hideous crime shall not be hideously punished by mob violence is due not in the least to sympathy for the criminal, but to a very lively sense of the train of dreadful consequences which follows the course taken by the mob in exacting inhuman vengeance for an inhuman wrong.

In such cases, moreover, it is well to remember that the criminal not merely sins against humanity in inexpiable and unpardonable fashion, but sins particularly against his own race, and does them a wrong far greater than any white man can possibly do them. Therefore, in such cases the colored people throughout the land should in every possible way show their belief that they, more than all others in the community, are horrified at the commission of such a crime and are peculiarly concerned in taking every possible measure to prevent its recurrence and to bring the criminal to immediate justice. The slightest lack of vigor either in denunciation of the crime or in bringing the criminal to justice is itself unpardonable.

Moreover, every effort should be made under the law to expedite the proceedings of justice in the case of such an awful crime. But it cannot be necessary in order to accomplish this to deprive any citizen of those *fundamental rights* to be heard in his own defense which are so dear to us all and

which lies at the root of our liberty. It certainly ought to be possible by the proper administration of the laws to secure swift vengeance upon the criminal ; and the best and immediate efforts of all legislators, judges and citizens should be addressed to securing such reforms in our legal procedure as to leave no vestige of excuse for those misguided men who undertake to reap vengeance through violent methods.

Men who have been guilty of a crime like rape or murder, should be visited with swift and certain punishment and the just effort made by the courts to protect them in their rights should under no circumstances be perverted into permitting any mere technicality to avert or delay their punishment. The substantial rights of the prisoner to a fair trial must, of course, be guaranteed, as you have so justly insisted that they should be ; but, subject to this guarantee, the law must work swiftly and surely and all the agents of the law should realize the wrong they do when they permit justice to be delayed or thwarted for technical or insufficient reasons. We must show that the law is adequate to deal with crime by freeing it from every vestige of technicality and delay.

But the fullest recognition of the horror of the crime and the most complete lack of sympathy with the criminal cannot in the least diminish our horror at the way in which it has become customary to avenge these crimes and at the consequences that are already proceeding therefrom. It is, of course, inevitable that where vengeance is taken by a mob it should frequently light on innocent people, and the wrong done in such a case to the individual is one for which there is no remedy. But even where the real criminal is reached the wrong done by the mob to the community itself is well-nigh as great.

Especially is this true where the lynching is accompanied with torture. There are certain hideous sights which when once seen can never be wholly erased from the mental retina. The mere fact of having seen them implies degradation. This is a thousandfold stronger when, instead of merely seeing the deed, the man has participated in it. Whoever in any part of our country has ever taken part in lawlessly putting to death a criminal by the dreadful torture of fire must forever have the awful spectacle of his own handiwork seared into his brain and soul. He can never again be the same man.

This matter of lynching would be a terrible thing even if it stopped with the lynching of men guilty of the inhuman and hideous crime of rape ; but, as a matter of fact, lawlessness of this type never does stop and never can stop in such fashion. Every violent man in the community is encouraged by every case of lynching, in which the lynchers go unpunished, to himself take the law into his own hands whenever it suits his own convenience. In the same way the use of torture by the mob in certain cases is sure to spread until it is applied more or less indiscriminately in other cases.

The spirit of lawlessness grows with what it feeds on and when mobs with impunity lynch criminals for one crime, they are certain to begin to lynch real or alleged criminals for other causes. In the recent cases of lynching over three-fourths were not for rape at all, but for murder, attempted murder and even less heinous offenses. Moreover, the history of these recent cases shows the awful fact that when the minds of men are habituated to the use of torture by lawless bodies to avenge crimes of a *peculiarly revolting description*, other lawless bodies will use torture in *order to punish crimes of an ordinary type*.

